

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72212 of 2021

Arising Out of PS. Case No.-638 Year-2021 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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Sonu Kumar S/o Rajesh Sahni Resident of Village- Lane in front of Krishna
Talkies, Ward No.-19, P.S.- Town, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raju Kumar, Adv.

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 17-10-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
N.D.P.S. Case No. 120 of 2021 arising out of Town P.S. Case
No. 638 of 2021, lodged under Sections 8(c)/21(b) of N.D.P.S.
Act.

As per prosecution case, the recovery of 9 sachet of
smack alleged to be made from the possession of petitioner.

Learned counsel for the petitioner submits that
petitioner is innocent having clean antecedent and is in custody
since 27.08.2021. He further submits that weight of 1 sachet is

maximum of 4 grams and if 9 sachet is equivalent to 36 grams then it is always less than the commercial quantity. He further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him by the Court.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-V, Muzaffarpur in connection with N.D.P.S. Case No. 120 of 2021 arising out of Town P.S. Case No. 638 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the

petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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