

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.1174 of 2022**

Arising Out of PS. Case No.-842 Year-2020 Thana- SONEPUR District- Saran

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Sheru Kumar Singh @ Shujeet Kumar, Son of Mahesh Prasad Singh @ Mahesh Parshad Singh, Resident of Village - Dudhaila, P.S.- Gachhi @ Gachi, Distt.- Saran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mrs.Ranjana Srivastava, Advocate

For the Opposite Party/s : Mr.Dashrath Mehta, APP

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**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

3      14-10-2022                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State through video conferencing.

Let the defect(s), if any, as pointed out by the office  
be removed within four weeks.

In the present case, the petitioner seeks bail in  
connection with N.D.P.S. Case No. 02 of 2021, arising out of  
Sonepur P.S. Case No. 842 of 2020 registered for the alleged  
offences under Section 22 (A) of NDPS Act.

As per prosecution case, the co-accused persons  
Manjeet Kumar and Vishal Kumar were apprehended on  
information by the police about these persons selling some  
psychotropic substance in white '*puriya*' and from their  
possession, apart from mobile phone and motorcycle, a small



knife and 500 mg of substance like brown sugar were recovered. The petitioner was named by the co-accused Vishal Kumar who gave him the brown sugar for selling the same.

Learned counsel for the petitioner submits that the whole prosecution story is false and fabricated against this petitioner who never dealt with contraband goods. The petitioner was not apprehended from the spot and nothing incriminating has been recovered from his conscious possession. The petitioner is in custody since 02.09.2021 and the charge sheet has been submitted. The petitioner is an accused in one more criminal case.

Learned A.P.P. opposes the prayer for bail.

Having regard to the facts and circumstances and submissions made hereinabove and considering the fact that no recovery has been shown against the petitioner and further considering the submission of charge sheet and the period of custody of the petitioner, he is directed to be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned 1<sup>st</sup> Additional Sessions Judge-cum-Special Judge, NDPS Act, Saran at Chapra, in connection with N.D.P.S. Case No. 02 of 2021 arising out of Sonepur P.S. Case No. 842 of 2020,



subject to the conditions mentioned in Section 437 (3) of the  
Code of Criminal Procedure and also the following conditions :

(i) The bail bond of the petitioner will be  
accepted only after framing of charge, if not  
already framed.

(ii) One of the bailors will be a close  
relative of the petitioner.

(iii) The petitioner will remain present on  
each and every date fixed by the court  
below.

(iv) In case of absence on three consecutive  
dates or in violation of the terms of the bail,  
the bail bond of the petitioner will be liable  
to be cancelled by the court concerned.

**(Arun Kumar Jha, J)**

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