

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9089 of 2023

Arising Out of PS. Case No.-367 Year-2022 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Julfakar Ansari @ Rehan Son Of Md. Azam Ansari, R/O Kasim Colony
Dargah Road, P.S.- Sultanganj, District- Patna, At Present R/O Purni Munsafi,
P.S.- Laheriasarai, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Rajeev, Advocate

For the Opposite Party/s : Mr. Dr. Ajeet Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 03-05-2023 Let the defect, 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
Sadar P.S. Case No. 367 of 2022 lodged under Sections
8(c)/21(b) of the N.D.P.S. Act.

As per the prosecution case, the recovery of NDPS
material (20 puria-8gm. of smack) has alleged to be made from
the possession of the petitioner.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that there are six criminal cases pending against the

petitioner and he is on bail in five cases. Counsel also submits that there is the quantity recovered from him are comes with the purview of commercial quantity and small quantity.

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, with conditions that in future he will not commit such wrong and if he continue with the said wrong, the prosecution is at liberty to prefer for cancellation of his 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-III, Muzaffarpur in connection with Sadar P.S. Case No. 367 of 2022, N.D.P.S. Case No. 157 of 2022, 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 an 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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