

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13671 of 2023

Arising Out of PS. Case No.-192 Year-2016 Thana- AMAS District- Gaya

MUKESH SHARMA @ MUNNA S/O UMESH SINGH R/o- Tapa, P.S.-
Tekari, District- Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramakant Sharma, Sr. Adv.
Mr. Rajesh Kumar, Adv.
For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY
ORAL ORDER

2 17-05-2023 Heard learned counsel for the petitioner as well as learned
APP for the State.

In this case, the petitioner is seeking regular bail in connection with Amas P.S. Case No. 192 of 2016, registered for the offences punishable under Sections 8, 17B, 18B, 25, 29 of the NDPS Act.

As per allegation, 650 grams of liquid opium was recovered from the possession of co-accused who disclosed to the raiding party that he was going to deliver the consignment to the petitioner.

Learned senior counsel for the petitioner, Sri. Ramakant Sharma has submitted that the petitioner is not named in the FIR. His name has figured in the confessional statement of co-accused who was apprehended at the spot. The recovered contraband is less than commercial quantity. The petitioner is under custody since on 23.09.2022.



Considering the above-mentioned facts and circumstances, let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, NDPS Act, Gaya in connection with Amas P.S. Case No. 192 of 2016, subject to the following conditions:-

(i) Before release of the petitioner, his criminal antecedent shall be verified and if it is found that he is involved in any other case except the cases mentioned in paragraph No. 2 of the supplementary bail petition, his bail bond shall not be accepted.

(ii) The petitioner shall cooperate in the disposal of trial and make himself available on each and every date of trial till framing of charge. In case of failure on two consecutive dates without any valid reason, the learned court below will be at liberty to cancel the bail bond of the petitioner.

(iii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

Sonali/Sudha

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