

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20354 of 2023

Arising Out of PS. Case No.-593 Year-2022 Thana- ARWAL District- Jehanabad

Sushil Kumar @NILU Singh Son Of Parashuram Singh Resident Of Village
Tiwari Bigha, Ps- Arwal, Distt- Arwal , Bihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Nawal Kishore Singh, Advocate
	:	Mr. Kamlesh Kumar, Advocate
For the Opposite Party	:	Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 17-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Arwal
P.S. Case No. 593 of 2022, dated 06.12.2022, instituted for the
offences punishable under Sections 8(c), 21(b) and 22(b) of
N.D.P.S. Act

3. Allegation against the petitioner is of recovery of
13 grams of smack like substance from the possession of the
petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has falsely been implicated in this
case. It is submitted that the seizure list, prepared in this case
has not been prepared in accordance with law. It is further



submitted that the seized article is less than the commercial quantity and much more than small quantity. Lastly, it has been submitted that the petitioner is in custody since 07.12.2022, has no criminal antecedents and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Incharge Session Judge, Jehanabad in Arwal P.S. Case No. 593 of 2022, subject to the following conditions:-

- i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.
- ii. One of the bailors will be his own blood relation, preferably father, mother, brother,



sister and or his wife.

iii. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

iv. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

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