

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25721 of 2023

Arising Out of PS. Case No.-24 Year-2023 Thana- WARISNAGAR District- Samastipur

Vikky Kumar Son Of Umesh Purbey Alias Umesh Kumar Purbey Resident Of
Village Nagarbasti Ward No 4, P.S. - Waris Nagar, District - Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra, Advocate

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 23-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Waris Nagar P.S. Case No. 24 of 2023 registered on 19.01.2023 for the alleged offences under Section 21(a) of the NDPS Act, 1985.

3. As per prosecution case, police received secret information about sale of brown sugar from the shop of the father of the petitioner. A raid was conducted and this petitioner was apprehended and from the shop thirty sachets of brown sugar weighing 7.55 mgs was recovered. A recovery of Rs. 10,000/- was also made from this shop.

4. Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this



case. Nothing incriminating has been recovered from person or possession of this petitioner. The petitioner is not the owner of the shop and the recovery has been made from the counter of the shop owned by the father of the petitioner and being the son, the petitioner has been arrested. Even from the weight of the contraband seized, it appears that the same is much below the small quantity. The petitioner is in custody since 19.01.2023 and charge-sheet has been submitted.

5. Learned APP opposes the prayer for bail submitting that petitioner is having one criminal antecedent.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the quantity of contraband seized and further considering his period of custody and the submission of charge-sheet against him, the petitioner above named 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 Special Judge, NDPS Act, Samastipur/court concerned in connection with Waris Nagar P.S. Case No. 24 of 2023, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

(i) One of the bailors will be a close relative of



the petitioner.

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

(iii) 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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