

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47112 of 2023

Arising Out of PS. Case No.-167 Year-2018 Thana- INDUSTRIAL AREA District- Vaishali

Sumit Kumar @ Jamoora S/o Ashok Kumar Singh R/o Hajipur (Kuari Buzurg), P.S.-Ganga Bridge, District-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rina Sinha, Adv.

For the Opposite Party/s : Mr. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

5 22-12-2023 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with N.D.P.S. Case No. 5002 of 2018, arising out of Industrial Area P.S. Case No. 167 of 2018 lodged under Sections 399, 402, 414 and 341 of the I.P.C. read with Section 25(1-b)a/ 26/35 of the Arms Act and 8/20(b) (ii) (c) 22 of the N.D.P.S. Act.

3. Learned counsel for the petitioner submits that the bail application of the petitioner has earlier been rejected vide order dated 18.10.2022 passed in Cr. Misc. No. 34788 of 2022 in which liberty was given to renew his prayer for bail after 6 months from today.

4. Counsel submits that 6 months have already been lapsed and petitioner is in custody since 19.09.2018 i.e., more



than 5 years have crossed, but trial has still not concluded.

5. Learned counsel for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty Thousand Only) with two sureties of the like amount each to the satisfaction of learned 1st Addl. District and Sessions Judge cum Special judge, Vaishali at Hajipur in connection with N.D.P.S. Case No. 5002 of 2018, arising out of Industrial Area P.S. Case No. 167 of 2018, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;



(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

7. With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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