

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53307 of 2023

Arising Out of PS. Case No.-1499 Year-2022 Thana- PHULWARISHARIF District- Patna

Aman Kumar, Son of Chhote Lal Ram, Resident of Village - Bifhat, P.S. -
F.C.I. Barauni, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-08-2023 Heard the parties.

The petitioner is in judicial custody in connection with Spl. (N.D.P.S.) Case No. 32 of 2023 in connection with Phulwarisharif P.S. Case No. 1499 of 2022 instituted under Section 399, 402, 411, 412, 413 and 414 of the Indian Penal Code, Sections 25(1-b)A, 26 and 35 of the Arms Act and 8(c)/21 of the N.D.P.S. Act lodged on 06.12.2022 by the informant Md. Safique Alam.

As per the prosecution case, the police intercepted under construction building, apprehended certain persons and found arms, cartridges and other articles. Accordingly FIR.

Learned counsel for the petitioner submits that so far as this petitioner is concerned, one live cartridge and 0.65 gm smack has been recovered/seized from the pant of the petitioner.



Learned APP opposes the prayer for bail.

Taking into account the submissions put forward by the learned counsel for the petitioner as also that he is in custody since 06.12.2022 (para 1 of the petition), this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Spl. (N.D.P.S.) Case No. 32 of 2023 in connection with Phulwarisharif P.S. Case No. 1499 of 2022 to the satisfaction of learned Additional Sessions Judge IV Patna, subject to 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 bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight 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 evidences,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(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.

(Rajiv Roy, J)

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