

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56986 of 2022

Arising Out of PS. Case No.-95 Year-2022 Thana- MINAPUR District- Muzaffarpur

Sonu Kumar Son of Umesh Prasad, R/V- Mustafaganj, P.S- Minapur, Dist- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 21-02-2023 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Minapur P.S. Case No. 95 of 2022, lodged under Sections
414/34 of the Indian Penal Code read with Section 20/22 of
N.D.P.S. Act.

As per prosecution case, the total recovery of 10
purias of smack and 25 *purias* of *Ganja* has been alleged to be
made from the house of one Umesh Prasad.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that nothing was recovered from the possession of



petitioner, nor he was apprehended from the place of occurrence. He further submits that name of petitioner has figured in this case by virtue of confessional statement and as soon as the petitioner got information that his name has figured in this case, he has surrendered before the court below. Learned counsel for the petitioner further submits there are 2 criminal cases pending against the petitioner and none of the case are related to N.D.P.S. Act rather both the cases are related to Excise Act and he is on bail in both the cases. He further submits that petitioner is in custody since 18.05.2022.

Learned counsel for the State opposes the prayer for bail.

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) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge, Muzaffarpur in connection with Minapur P.S. Case No. 95 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date



fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file an affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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