

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.68076 of 2023**

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

Umesh Purve @ Umesh Kumar Purbey Son Of Jagdish Purwe R/O Vill -  
Nagarbasti, Ward No. 4, P.S. - Waris Nagar, Dist. - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      18-10-2023                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with  
Waris Nagar P.S. Case No. 24 of 2023 lodged under Sections  
21(a) of the NDPS Act, 1985.

3. As per the prosecution case, the F.I.R. has been  
lodged against 3 named accused persons including the petitioner  
against whom the allegation of recovery of 7.550 Mg brown  
sugar are there.

4. Learned counsel for the petitioner submits that  
petitioner is innocent and has committed no offence. He submits  
that the 2 accused persons are petitioner and his son. Counsel  
submits that petitioner is businessman and his son was in habit  
of taking brown sugar and for his consumption, he has kept

brown sugar with him. Upon raid, police has found 7.550 Mg brown sugar which is less than the small quantity.

5. Counsel for the petitioner submits that petitioner is in custody is since 18.08.2023. He submits that his son has been granted bail by the Co-ordinate Bench of this Court vide order dated 23.05.2023 passed in Cr. Misc. No.25721 of 2023.

6. Counsel further submits that it is true that petitioner's antecedent is not clean and there are 2 criminal cases pending against him in which he is on bail, but he has not been accused in NDPS case.

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

8. 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 Sessions Judge-cum- Special Judge, NDPS Act, Samastipur in connection with Waris Nagar P.S. Case No. 24 of 2023, subject to the following 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.

**(Dr. Anshuman, J.)**

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