

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2505 of 2023

Arising Out of PS. Case No.-285 Year-2021 Thana- BAISI District- Purnia

MD. AKBAR S/O Md. Kasim Resident at Sipahi Tola, Purnea P.S- K. Hat
(Madhubani), District- Purnea

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Advocate
For the Opposite Party/s : Mr. Shantanu Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-01-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 8(c) and 21(b) of the Narcotic Drugs and Psychotropic Substances Act and Section 414 of the Indian Penal Code.

Learned counsel submits that this is the second attempt of the petitioner to seek bail as earlier his bail was rejected by Order Dated 24.05.2022 in Cr. Misc. No. 1943 of 2022. Learned counsel submits that allegation is of recovery of 19.6 grams of smack from the petitioner, it is next submitted that alleged recovery is little more than small quantity but much less than commercial quantity. Learned counsel for the petitioner submits that the petitioner is in custody since 30.9.2021, and the charges against the petitioner has been framed on 22.06.2022, it



is next submitted that petitioner will not abscond from the trial rather will cooperate in the investigation.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody, is a person with clean antecedent and charge-sheet has been submitted in the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Baisi P.S. Case No. 285 of 2021.

One of the bailors of the petitioner shall be his wife Asama Khatoon @ Asama.

Further, if the learned court below comes to a conclusion that the petitioner after his release is trying to delay the trial in any manner, the court below shall be at liberty to forthwith cancel his bail bonds after recording reasons and to take all coercive steps to ensure that petitioner is behind bars.

(Satyavrat Verma, J)

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