

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74953 of 2022

Arising Out of PS. Case No.-63 Year-2022 Thana- HARLAKHI District- Madhubani

Subhash Kumar Yadav Son of Badri Narayan Yadav R/V- Mohanpur, P.S-
Harlakhi, dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

5 08-02-2023 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
Harlakhi P.S. Case No. 63 of 2022 lodged under Sections 20/22
of the N.D.P.S. Act.

Learned counsel for the petitioner submits that the
bail application of the petitioner was earlier rejected but liberty
was given to him to renew his prayer for bail after framing of
charge in this case. Counsel for the petitioner submits that
charge has already been framed against the petitioner and co-
accused has been granted bail vide order dated 01.08.2022
passed in Cr. Misc. No. 23399 of 2022.

Learned counsel for the State opposes the prayer for bail and submits that from the order dated 16.11.2022 passed in G.R. Case No. 06/2022, it transpires that charge has already been framed against the petitioner.

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 Special Judge N.D.P.S. Act -cum- Addl. Sessions Judge-IV, Madhubani in connection with Harlakhi P.S. Case No. 63 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 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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