

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74038 of 2024

Arising Out of PS. Case No.-522 Year-2024 Thana- JAHANABAD District- Jehanabad

Sonu Kumar Son of Sri Kiran Prasad Village- Panchmuhlla, Ps- Jehanabad,
Dist- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

2 18-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is languishing in custody in a case registered for the offences punishable under Sections 20(b)/iiB of the N.D.P.S. Act.

3. As per the prosecution story, there has been recovery of 100 grams of Smack like narcotics substance from the possession of this petitioner. After interrogation, petitioner himself disclosed that the seized contraband is Smack.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The seized contraband has been sent to the FSL but report has still awaited. The seized contraband(Smack) does not come under the purview of



commercial quantity as per N.D.P.S. Act. There is no independent witness of the seizure list. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 07.07.2024. It is further submitted that one of the accused namely Chandan Kumar has been granted bail from a co-ordinate Bench of this Court.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and the period of custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District and Sessions Judge, Jehanabad in connection with N.D.P.S. Case No. 08 of 2024 arising out of Jehandabad P.S. Case No. 522 of 2024 with a direction to the learned Trial Court to verify the Criminal antecedents of the petitioner subject to following conditions:-

(i) one of the bailor should be the family member/relative of the petitioner.

(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 petitioners 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;

(iv) the petitioners shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of his bail bonds.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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