

**IN THE HIGH COURT OF JHARKHAND AT RANCHI
B.A. No. 4127 of 2020**

Manish Kumar Dubey Petitioner (s)

Versus

The State of Jharkhand Opposite Party (s)

CORAM: HON'BLE MR. JUSTICE DEEPAK ROSHAN

For the Petitioner(s) : Mr. Mohit Prakash, Advocate

For the State : Mr. Ravi Prakash, APP

2/Dated: 20th July, 2020

Heard through V.C.

2. Learned counsel for the petitioner undertakes to remove the defects as pointed out by the office within a period of four weeks from today.

3. The instant application has been preferred by the petitioner for grant of regular bail in connection with Gumla, P.S. Case No. 19 of 2020, registered under Sections 20(b)(ii)(c), 29 of NDPS Act, pending in the court of learned Sessions Judge, Gumla.

4. Learned counsel for the petitioner submits that on the same and similar allegation the other co-accused namely, Karan Singh has been granted bail by this Court in B.A. No. 3535 of 2020 vide order dated 01.07.2020. He further submits that no incriminating article has been recovered from the possession of the petitioner as such, the petitioner is also entitled for the same relief granted to the other co-accused person. He further submits that the petitioner is in jail custody since 21.01.2020.

5. Learned APP opposes the prayer for bail while referring Section 37 of the NDPS Act and submits that the petitioner should not commit the same offence in future.

6. Having heard learned counsel for the parties and looking to the facts and circumstances of the case especially the fact that the co-accused has already been granted bail on similar allegation, the petitioner is directed to be released on bail. At present the petitioner shall be released on furnishing personal bail bond of Rs. 5,000/- (Five thousand only), thereafter when the lockdown period is over, the petitioner shall furnish bail bond of Rs. 10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Gumla, in connection with Gumla, P.S. Case No. 19 of 2020, within a period of one month from the date of lifting of lockdown.

7. Further, the petitioner shall appear on each and every date during trial before the learned trial court whenever the functioning of regular court begins till then the petitioner shall register his presence before the concerned police station fortnightly, failing which the learned trial court shall be at liberty to cancel his bail.

8. With the aforesaid directions this bail application is allowed and disposed of.

(Deepak Roshan, J.)