

Criminal Procedure Code, 1973 (2 of 1974), Section 439 – Regular bail – Non-appearance of accused – Bail bond, forfeiture of – Petitioner could not appear on the said date as his counsel did not inform him about the date fixed – Trial Court proceeded to pass the extreme order on account of his solitary absence after grant of regular bail – At times, the accused or his counsel can be prevented by sufficient reasons to put an appearance before the Court on a given date and every such absence cannot be necessarily construed as a deliberate and willful absence – The explanation appears to be probable and therefore, the same is accepted – Forfeiture order set aside – Narcotic Drugs and Psychotropic Substances Act, 1985 (61 of 1985), Sections 21 (b), 27 (a).

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