

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.20360 of 2014**

Arising Out of PS.Case No. -238 Year- 2012 Thana -RAXAUL District-  
EASTCHAMPARAN(MOTIHARI)

=====

Sant Thakur

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Shri Prakash Tiwari

For the Opposite Party/s : Mr. C.Jawahar(App)

=====

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

5 23-09-2015

Heard.

The petitioner has renewed his prayer for regular bail in a case registered for the offences punishable under sections 20/22/23/24 of the NDPS Act.

The petitioner is languishing in custody since 21.09.2012.

The prosecution case is that 80 gms of brown-sugar was recovered from the possession of the petitioner.

It is submitted by learned counsel for the petitioner that recovery is below the spell of commercial quantity. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

The report of learned trial court dated 23<sup>rd</sup> May 2015, reflects that the trial was to be completed within a period of four months on production of remaining unexamined witnesses. The matter was adjourned for today vide order dated 24.06.2015 with a

direction to the trial court that if the trial will not be concluded within the aforesaid period, the trial court will transmit a report to this court with reason for non-conclusion of the trial. The record suggests that the trial court has not transmitted any report.

It is submitted by learned counsel for the petitioner that the trial has not concluded and after 24.06.2015 no witness has been examined.

Considering the quantity of recovery, petitioner having no criminal antecedent and the facts that neither the trial court has concluded the trial within four months nor has transmitted any report to that effect, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of 3<sup>rd</sup> Additional District & Sessions Judge-cum-Special Judge, East Champaran, Motihari in connection with NDPS Case No.113 of 2012, arising out of Raxaul P.S. Case No.238 of 2012.

Learned court below will be at liberty to cancel the bail bonds of the petitioner, if he defaults for two consecutive occasions.

**(Dinesh Kumar Singh, J)**

Ashwini/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|