

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1735 of 2017

Arising Out of PS.Case No. -193 Year- 2016 Thana -LAHERIMUHALLA District- NALANDA
(BIHARSHARIFF)

=====

Munna Singh, S/o Late Parmeshwar Singh, R/o - Vill- Daruara, P.S.-
Noorsarai, Distt.- Nalanda at present Mohalla- Shivpuri, Ramchanderpur,
P.S. Laheri, Distt.- Nalanda.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4 22-03-2017 Heard Sri Y.C Verma, learned Senior Counsel,

assisted by Sri Amresh Kumar Sinha, learned counsel for the

petitioner and Dr. Ajeet Kumar, learned Addl. Public Prosecutor.

This is the second attempt for grant of bail on
behalf of the petitioner in Laheri P.S. Case No.193/16, registered
for the offence under Section 20 of N.D.P.S. Act. The petitioner is
in custody since 13.07.2016. Earlier, the prayer for bail of the
petitioner was rejected on 29.11.2016 vide Cr.Misc.No.39088 of
2016.

In this case, by order dated 08.02.2017 a report was
called from the court below regarding stage of the case, which has
been received and kept at Flag-A. The report suggests that the



petitioner was not being produced before the court due to serious ailment of HIV.

Learned counsel for the petitioner reiterates that the petitioner is seriously ill and keeping him behind the bar may be fatal for him. He has further argued that the recovered Ganja was lesser than the commercial quantity.

Since the prayer for bail of the petitioner was earlier rejected on merit, there is no need to further take notice of submission of learned counsel on the point of recovery. However, considering the report of the court below, which suggests that due to serious ailment, the petitioner was not being produced before the court below and charge was not framed till the date of report, in special circumstances, it would be appropriate to extend the privilege of bail to the petitioner. Accordingly, let the petitioner, namely, Munna Singh 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 learned Sessions Judge-cum- Special Judge, Nalanda in G.R. No.07/2016 arising out of Laheri P.S. Case No.193/16.

(Rakesh Kumar, J)

NKS/-

U		T	
---	--	---	--

