

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 29996 of 2017

Arising Out of PS.Case No. -212 Year- 2016 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

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Manoj Rai S/o- Sri Dallu Rai R/v -Mile, Bidupur, Distt- Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha

For the Opposite Party/s : Smt. Renuka Ratnakar

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 09-08-2017 Heard Sri Vijay Kumar Sinha, learned counsel for the petitioner and learned Addl. Public Prosecutor.

The petitioner, who is in custody since 29-07-2016 in Bidupur P.S. Case No. 212 of 2016 (G.R. No. 2925 of 2016), registered for offence under Section 20B & 22 of the Narcotic Drugs & Psychotropic Substances Act, 1985, has renewed his prayer for bail. Earlier also, the prayer for bail was rejected, vide order dated 21-02-2016 passed in Cr. Misc. No. 49849 of 2016.

It was submitted by learned counsel for the petitioner that recovered *Ganja* was much lesser than the commercial quantity and this was the reason that this Court, while earlier rejecting the prayer for bail, had observed that “*at the moment, I am not inclined to extend the privilege of bail*”. He submits that petitioner has already remained in custody for sufficient period.



Considering the fact that while rejecting prayer for bail, it was observed that prayer for bail was rejected only for the moment and the fact that several months has expired from the date of earlier rejection order, there is no reason to further detain the petitioner.

Let the petitioner namely Manoj Rai be enlarged 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 District & Sessions Judge, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 212 of 2016, G.R. No. 2925 of 2016, with condition that one of the bailor must be blood relation of the petitioner and secondly, during trial, the petitioner shall remain physically present on each and every date. If continuously on two dates, the petitioner remains absent, without prior permission of the trial court, his bail-bond shall stand automatically cancelled.

(Rakesh Kumar, J.)

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