

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22369 of 2017

Arising Out of PS.Case No. -105 Year- 2016 Thana -SONBERSA District- SITAMARHI

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Arjun Patel S/o Bharat Patel, Resident of Village- Sonbarsha, Ward No. 5,
P.S.- Sonbarsha, District- Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Madan Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

5 02-08-2017 Heard Sri Vijay Kumar Sinha, learned counsel for

the petitioner and Sri Madan Kumar, learned Addl. Public

Prosecutor.

This is the second attempt for grant of bail on
behalf of the petitioner. The petitioner is in custody since
27.05.2016 in Sonbarsha P.S. Case No.105 of 2016, G.R.No.1561
of 2016, registered for the offence under Sections 20,22, 23 of
N.D.P.S. Act. Earlier, the prayer for bail was rejected by order
dated 17.11.2016 vide Cr.Misc.No.32985 of 2016.

Earlier, by order dated 21.06.2017 a report was
called for from the court below regarding stage of the case, which
has been received and kept at Flag-A. The report suggests that
though charge has been framed, till date no witness has been



examined.

Considering the fact that recovery of ganja was less than commercial quantity as well as the fact that the case has not been properly proceeded, the Court is of the opinion that the petitioner may not further be detained. Accordingly, let the petitioner, namely, Arjun Patel 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 the learned Sessions Judge, Sitamarhi in connection with Sonbarsha P.S. Case No.105 of 2016 with conditions that (i) one of the bailors must be blood relation of the petitioner and (ii) on each and every date, during trial, the petitioner shall remain physically present in the court below. If continuously on two dates, the petitioner remains absent without prior permission of the court below, his bail bond shall stand automatically cancelled.

(Rakesh Kumar, J)

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