

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26500 of 2017

Arising Out of PS.Case No. -56 Year- 2016 Thana -SIKTA District-
WESTCHAMPARAN(BETTIAH)

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1. Umesh Paswan, son of Late Devanandan Paswan, resident of Behra,
P.S.- Sikta, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Union of India through Zonal Director, Narcotic Control Bureau,
Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

For the UOI (SSB) : Mr. Ram Anurag Singh, CGC

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

7 16-03-2018

Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 20, 22, 23, 24, 27(A) and 29 of
the Narcotic Drugs and Psychotropic Substances Act, 1985.

Allegation is that 4 Kg. Charas was, allegedly,
recovered from possession of the petitioner.

Petitioner has stated on oath that he has got no
criminal antecedent and he is in custody since 28.08.2016. Further
submission is that report from the learned trial Judge was called
for which would reveal that charges were framed on 26.04.2017.
However, no prosecution witness has turned up up-till-now in



spite of expiry of about one year. Petitioner is ready to cooperate with the trial.

Considering the entire facts aforesaid, specially, the negligence of the prosecution in not producing any witness since last one year and the period already undergone, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.50,000/- (Rupees Fifty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Trial No. 31 of 2016 arising out of Sikta Police Station Case No. 56 of 2016, subject to the condition that the petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner as well as condition that both the bailors shall be resident of within the territorial jurisdiction of the learned trial Judge.

(Birendra Kumar, J)

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