

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61575 of 2017

Arising Out of PS.Case No. -164 Year- 2016 Thana -BELA District- SITAMARHI

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1. Birendra Prasad Yadav @ Birendra Kumar Yadav, S/o Raghunath Yadav,
 2. Nagendra Rai @ Narendra Rai @ Nagendra Prasad S/o Late Ram Dayal Rai,
 3. Basir Ansari S/o Late Dos Mohammad Ansari, All R/o Village- Dimahi, P.S.- Bela, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Union of India through D.R.I. Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 10-01-2018 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are in custody in connection with
Bela P.S. Case No.164 of 2016, a case under Sections 8/20
(b)(i)(B) of the N.D.P.S. Act.

3.5 Kgs of Ganja was recovered from a
motorcycle on which the petitioners were boarding. The
petitioners are in custody since 05.11.2016.

Earlier prayer for bail was refused on 10.04.2017
in Cr. Misc. No.4068 of 2017 with direction to the learned trial
judge to expedite the trial and liberty to the petitioners that if the



trial is not concluded within one year from the date of custody of the petitioners, they may renew the prayer for bail before the trial Court itself. The impugned order reveals that the case is pending for prosecution evidence after framing of the charge on 22.04.2017. However, no prosecution witness has been examined.

Considering the aforesaid fact, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Bela P.S. Case No.164 of 2016, with condition that the petitioners shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

(Birendra Kumar, J)

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