

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21790 of 2018

Arising Out of PS.Case No. -4 Year- 2017 Thana -BARGANIA District- SITAMARHI

=====

1. Jitendra Kumar S/o Bindeshwar Rai, R/o Vill.- Babhangama, P.O.-
Riga, P.S.- Riga, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

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

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

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 18-04-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the
offences punishable under Sections 8/20(b),(II)/B of the N.D.P.S.
Act.

This is the second attempt of the petitioner.

From the tempo of the petitioner 6 kg of Ganja
was recovered. Petitioner is in custody since 06.01.2017.

This Court had refused the prayer for bail to the
petitioner on 08.05.2017 in Cr. Misc. No.14393 of 2017 with
liberty to the petitioner to renew the prayer if the trial is not
concluded within nine months before the Court-below.

The impugned order reveals that charges were



framed on 13.04.2017. However, no prosecution witness has been examined upto now.

Considering the approach of the prosecution in non-cooperation with the trial especially when all the material witnesses are public servant as well as considering the period already undergone by the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Bairagania P.S. Case No.4 of 2017, with 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.

(Birendra Kumar, J)

Mkr./-

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

