

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3440 of 2019

Arising Out of PS. Case No.-459 Year-2017 Thana- PIRBAHOR District- Patna

Vicky Prakash, son of Sri Om Prakash Prasad, Resident of Mohalla-
Chandmari Road, (Suryapath), P.S.-Kankarbagh, Dist-Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Pratap Singh

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 10-04-2019 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 274, 275, 276, 284, 379, 419, 420, 467 and 120B of the Indian Penal Code and Sections 27(c), 27(a), 27(b)(ii), 27(d), 28, 28(A) of Drugs and Cosmetics Act, 1940 and Section 7 of Essential Commodities Act.

Earlier prayer for bail was refused on 09.01.2018 vide Annexure-1 for the reason that allegation against the petitioner was that spurious drugs were recovered from his possession. The trial Court was directed to expedite the trial and conclude the same within nine months failing which the petitioner was allowed to liberty to renew the prayer before trial Judge itself.

The impugned order of the Court below would reveal



that the accused persons prayed for time and the Court below allowed the same for ten times in spite of the direction of this Court. The Court below has acted in a casual manner.

Considering the aforesaid fact, 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 Pirbahore (Patna) P.S. Case No.459 of 2017 giving rise to Spl. (Drug) Case No.14 of 2018 with following conditions :

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court below.

(b) The petitioner 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 petitioner.

(Birendra Kumar, J)

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