

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26610 of 2019

Arising Out of PS. Case No.-166 Year-2014 Thana- BARACHATTI District- Gaya

MUNNI PRASAD Son of Ratan Mahto Resident of Village - Dhamna, P.s.-
Barachatti, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar Singh
For the Opposite Party/s : Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

6 11-07-2019 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Barachatti P. S. Case No.
166 of 2014 instituted for the offence under Section(s) 20/22 of
the NDPS Act.

It is alleged in the written report that 32 kg of ganja
has been recovered from house of petitioner.

Earlier, prayer for bail of petitioner was rejected by a
Co -ordinate Bench of this Court vide order dated 16.3.2018
passed in Cr. Misc. no. 10608 of 2018 with direction to the
Trial Court to conclude the trial within a period of one year.
Petitioner was granted liberty to renew prayer for bail if the
trial does not conclude within the aforesaid period.

The report called for from the court below vide order



dated 24.4.2019 has been received. From perusal of the report it appears that not a single witness has been examined.

Learned counsel for petitioner submits that other accused person from whose possession 68 kg of ganja has been recovered has been granted bail by co-ordinate bench of this Court vide order dated 29.1.2019 passed in in Cr. Misc. no. 4802 of 2019.

This Court feels that despite specific direction of this Court dated 16.3.2018 no any progress has been made by trial Court for expeditious disposal of the case. The accused can not be kept behind bar for long period on account of negligent act on the part of the Trial Court .

The petitioner is in custody since 6.12.2016.

Considering the aforesaid, let the petitioner, above named, 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 ADJ 1st, Gaya, in connection with Barachatti P. S. Case No. 166 of 2014, NDPS case no. 4/17 subject to the following conditions:-

- (i) Both the bailors shall be the close relative of the petitioner.
- (ii) The petitioner shall be present on each and every



date fixed by the Court and absence on two consecutive dates without valid reason will result in cancellation of bail bond of the petitioner.

(iii) If petitioner tamper with the evidence in the case, prosecution will be at liberty to move for cancellation of bail bond of the petitioner.

(Sanjay Priya, J)

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