

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26998 of 2019

Arising Out of PS. Case No.-251 Year-2017 Thana- PATNA CITY CHOWK District- Patna

HARENDRA RAI Son of Late Bhagwat Rai @ Bhagwan Rai, Resident of
Village-Kamashikoh (Kamchoh), Police Station-Chowk, District-Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dipak Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 19-06-2019 Heard learned counsel for the petitioner as well as
learned Addl. Public Prosecutor for the State.

Petitioner seeks bail in a case registered under
sections 22 and 27 of the NDPS Act.

Earlier petitioner was granted bail vide order dated
09.11.2017 passed in Cr. Misc. no. 52995/2017 with certain
terms and conditions.

Bail of the petitioner has been cancelled by the court
below on 18.05.2018 on the ground of alleged violation of
conditions of bail to the extent that the petitioner had not
appeared before the court since 24.11.2017.

Counsel for the petitioner submits that charge sheet
was submitted on 22.11.2017 whereafter case was transferred on
24.11.2017 for trial and disposal. From transferred court no



notice or summon was issued to the petitioner and as such petitioner could not appear before the court below. On coming to know regarding cancellation of bail, he bonafidely surrendered in the court below on 13.03.2019 and since then he is languishing in jail.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Addl. Sessions Judge X -cum- Special Judge, NDPS Act, Patna in Special case no.127/2017 arising out of Chowk P.S. Case no. 251/2017 subject to conditions as contained in earlier order dated 09.11.2017 passed in Cr. Misc. no. 52995/2017.

(Madhuresh Prasad, J)

s.hassan/-

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