

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47720 of 2019

Arising Out of PS. Case No.-110 Year-2017 Thana- GANGABRIDGE District- Vaishali

AJAY KUMAR RAI Son of Late Ram Ekbal Rai Resident of Railway Hunter Road, Rajendra Nagar, Mohmudd Chak, Road No. 10E, P.S.- Kadamkuan, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramakant Sharma, Sr.Adv

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

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 28-08-2019 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 8/20(b)(ii)(c)/25/29 of the
NDPS Act.

The petitioner was driver of the Pick-Up Van
from which 145 Kg of Ganja was recovered. The petitioner is in
custody since 08.9.2017.

By order dated 12.12.2018 passed in Cr. Misc.
No. 53726 of 2018, prayer for bail was refused with direction to
the learned Trial Judge to conclude the trial within six months as
prosecution evidence was already going on and two prosecution
witnesses were already examined. The learned Trial Court was



further directed to allow short adjournment in the matter as per the mandate of the Cr.P.C.

A certified copy of the lower court ordersheet produced by the learned counsel for the petitioner would show that prosecution witnesses are not turning up even if the case was fixed after short adjournment.

Considering the aforesaid factual position, 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 learned Court below where the case is pending in connection with Ganga Bridge Police Station Case No.110 of 2017, subject to the condition that both bailors shall be resident of territorial jurisdiction of the learned court below and further 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)

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