

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14398 of 2020**

Arising Out of PS. Case No.-9 Year-2016 Thana- GOVERNMENT
OFFICIAL COMP. District- Gaya

=====

Pappu Paswan Son of Late Ramdeo Paswan Resident of Village - Fatuha,
P.S.- Fatuha, Dist.- Patna.

... .. Petitioner

Versus

The Union Of India Through Intelligence Officer, Narcotics Control Bureau,
Patna, Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajay Kr Singh No.1, Advocate

For the Opposite Party : Mr. J.K. Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

5 09-09-2020

Heard learned counsel for the petitioner and learned

APP for the State through video conference. Learned counsel for the petitioner undertakes that all defects pointed out by the stamp reporter shall be removed, and compliance with the conditions of the notices of this Court with regard to acceptance of e-filing shall be made, without delay immediately upon resumption of physical functioning of the Court, and in any event within one month thereof. Learned counsel for the State states that he has no objection in this regard and the matter be taken up on merits in view of the stated urgency.

2. This is the 4th attempt of the petitioner, who is in custody since 17.12.2016 and has renewed his prayer for bail in connection with V/NCB/PZU Case No. 09/16 of N.D.P.S. Case No.



08 of 2017 for the offences alleged under Sections 8 and 20 of the Narcotics Drugs & Psychotropic Substances Act having earlier been rejected thrice by this Court by order dated 01.02.2018 in Cr. Misc. No. 6334 of 2018, by order dated 24.08.2018 in Cr. Misc. No. 41775 of 2018 and by order dated 10.07.2019 in Cr. Misc. No. 13788 of 2019, respectively.

3. Learned counsel for the petitioner submits that the petitioner is accused in connection with recovery of 114 Kgs. of ganja from an Ambassador car in which the petitioner along with co-accused Shailendra Paswan (driver) were travelling. It is submitted that the said co-accused has been granted bail by this Court by order dated 05.02.2018 in Cr. Misc. No. 58673 of 2017 as the trial was not concluded within a period of one year as had been stipulated as a condition in the bail order.

4. Status report by letter no. 334 dated 07.07.2020 has been received from the learned court below in which it has been informed that five (5) out of seven (7) prosecution witnesses have been examined but however Special P.P. has sought three months' further time for producing witnesses, which has been allowed. The learned court below has also sought extension of time for concluding the trial which was directed to be concluded positively within three months in terms of this Court's order dated 10.07.2019 in Cr. Misc. No. 13788 of 2019.

5. Learned APP appears and has been heard.



6. Considering the present exceptional circumstances of Covid-19 pandemic which is likely to delay the trial further and also that co-accused Shailendra Paswan has been granted bail by this Court as well as considering the period of custody already suffered since 17.12.2016, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned VIIth Additional District & Sessions Judge, Gaya in connection with V/NCB/PZU Case No. 09 of 2016 of N.D.P.S. Case No. 08 of 2017, if he is not otherwise required in any other case.

7. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Vikash Jain, J)

Ibrar//-

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

