

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76260 of 2019

Arising Out of PS. Case No.-26 Year-2016 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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MD. SHUAIB @ SHUAIB @ SHOAIB, Son of Mustakim, H.No. 236,
resident of Village Rasoolpur Hameer, P.O. Fattepur Khas, P.S. Mainather,
Tahsil Bilari, District Moradabad (U.P.)

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. The Union of India through the Director, Narcotic Cell, Patna, Bihar
... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saket Anand, Advocate
For the Opposite Party/s : Mr. Satyendra Prasad, A.P.P.
For the U.O.I. : Ms. Shail Kumari, C.G.C.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 05-03-2020 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 20(b), 23, 25 and 29 of the
Narcotic Drugs and Psychotropic Substances Act, 1985.

About 239 Kg. of Ganja was recovered from a truck.
The petitioner was driver of the truck. Petitioner is in custody
since 16.06.2016.

Learned counsel for the petitioner submits that a
report of the stage of trial was called for from the learned court
below and the report dated 13.01.2020 would reveal that only
six prosecution witnesses were examined and two are yet to be



examined. Moreover, the cleaner of the truck has already been allowed bail by this Court vide order dated 17.07.2019 passed in Cr. Misc. No. 29202 of 2019 (Annexure-2). Petitioner is ready to cooperate with the trial.

Considering the period already undergone by the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.50,000/- (Rupees Fifty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with D.R.I. Case No. 26 of 2016 arising out of Special Case No. 32 of 2016, subject to the following conditions:-

(a) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioner.

(b) Both the bailors shall be resident of territorial jurisdiction of the learned court below.

(c) The petitioner shall not leave the country without permission of the learned trial court.

(Birendra Kumar, J)

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