

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84616 of 2019

Arising Out of PS. Case No.-593 Year-2018 Thana- PATRAKARNAGAR District- Patna

VISHAL KUMAR, Son of Late Sanjay Thakur @ Sanju Thakur, Resident of 39, Munna Chowk (Munna Chak), Police Station- Patrakar Nagar, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Mira Kumari

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 11-06-2020 Heard learned counsel for the petitioner and State.

The petitioner is in custody in connection with Special Case No. 124 of 2018, arising out of Patrakar Nagar P.S. Case No. 593 of 2018, for the offence under Sections 20, 22, and 24 of the N.D.P.S. Act, 1985.

Earlier the prayer for bail of the petitioner was rejected vide order dated 05.02.2019 in Cr. Misc. No. 6461 of 2019 with a direction to the court below to expedite the trial and conclude the same at the earliest preferably within a period of nine months.

Learned counsel for the petitioner submits that the petitioner is in custody since 17.10.2018. He further submits that other co-accused have been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 11153 of 2019 and Cr.



Misc. No. 12990 of 2019 (Annexures- 3 and 4) respectively.

In this case status report was called for vide order dated 22.01.2020. It appears from the report submitted by Additional Sessions Judge-XXII, Patna dated 27.01.2020 that not even a single witness has been examined in this case.

Considering the fact that other co-accused have been granted bail by a co-ordinate Bench of this Court, the petitioner, named above, is directed to be released on bail on furnishing bail bonds of Rs.50,000/- (Rupees fifty thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-XXII, Patna in connection with Special Case No. 124 of 2018, arising out of Patrakar Nagar P.S. Case No. 593 of 2018 with the following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned court below having immovable property.

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

Let the Senior Superintendent of Police, Patna inform this Court regarding action taken report against the Investigating Officer of Patrakar Nagar P.S. Case No. 593 of 2018 for inaction



in not sending the seized contraband for forensic examination.

The report of the Senior Superintendent of Police must come within six weeks from receipt/production of a copy of this order.

Let a copy of this order be sent to the senior Superintendent of Police, Patna.

(Anil Kumar Upadhyay, J)

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