

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26807 of 2021

Arising Out of PS. Case No.-267 Year-2020 Thana- DINARA District- Rohtas

Monu Kumar, Son of Biltu Yadav, Resident of Village- Korahiya Parsahi,
P.S.- Jaynagar, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate Mr. Jitendra Kumar Bharti, Advocate
For the Opposite Party/s	:	Md. Arif, APP

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

3 14-12-2021 The applicant/accused in Crime No. 267 of 2020
(NDPS No. 11 of 2020) registered with Dinara (Bhanas) Police
Station for the offences punishable under Sections 8/20(b)(ii)(c),
22 and 29 of the N.D.P.S. Act, by this application is seeking his
release on bail after filing of the charge sheet.

Heard the learned senior counsel appearing for the
applicant/accused. He argued that the applicant is entitled for
bail on the principle of parity as co-accused Ram Babu Yadav
is directed to be released on bail by a coordinate Bench of this
Court vide order dated 02.12.2021 passed in Criminal Misc.
No. 21326 of 2021. He further argued that as yet no report
from the Forensic Science Laboratory is received by the
prosecution.



The learned Additional Public Prosecutor opposed the application by contending that the report of Forensic Science Laboratory is not received.

I have considered the submissions so advanced and also perused the materials placed before me.

Case of co-accused namely Ram Babu Yadav, who is directed to be released on bail by a coordinate Bench of this Court vide order 02.12.2021 passed in Criminal Misc. No. 21326 of 2021 is exactly identical with that of the present applicant and there is no other alternative but to release him on bail during pendency of the trial and hence, the order :-

i. The application is allowed.

ii. The applicant/accused in Crime No. 267 of 2020 (NDPS No. 11 of 2020) registered with Dinara (Bhanas) Police Station for the offences punishable under Sections 8/20(b)(ii)(c), 22 and 29 of the N.D.P.S. Act be released on bail on executing P.R. bond of Rs.25,000/- (Rupees Twenty Five Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions: -

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from



disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the trial court in expeditious disposal of the trial against him.

(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the appellant/accused.

(A. M. Badar, J)

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