

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32823 of 2021**

Arising Out of PS. Case No.-32 Year-2020 Thana- KARTAHA District- Vaishali

=====

DAMODAR KUMAR S/O RAGHUNANDAN RAI R/o village- Manua,
P.S.- Hajipur Sadar, District- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vijay Anand

For the Opposite Party/s : Mr. Kalyan Shankar

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-07-2021 Heard Mr. Vijay Anand, learned counsel for the

petitioner and Mr. Kalyan Shankar, learned counsel appearing

for the State through video conferencing.

Petitioner seeks regular bail in connection with
Kartaha P.S. Case No. 32 of 2020 registered for the offence
under Section 414 of the I.P.C., Section 20 / 22 / 23 / 24 / 27 /
29 of the Narcotic Drugs and Psychotropic Substances Act 1985
and Section 25 (1-B) a / 26 / 35 of the Arms Act.

This is 2nd attempt for bail on behalf of the petitioner
inasmuch as earlier the bail application of the petitioner was
rejected by this court in Cr. Misc. No. 25649 of 2020 with
liberty to the petitioner to renew his prayer for bail after 04
months.

The allegation as per the First Information Report is



that from the dickey of the motorcycle of the petitioner 500 gram of 'Charas' was recovered and one loaded pistol was also recovered from the waist of the petitioner.

Learned counsel for the petitioner submits that petitioner is in custody since 26/3/2020 and the narcotic drugs allegedly seized from the possession of the petitioner is not of commercial quantity. Learned counsel next submits that charge sheet has already been submitted and the trial is not likely to be concluded in near future due to pandemic. Learned counsel further submits that there is no likelihood that the petitioner will abscond or tamper with the evidence if released on bail.

Having heard learned counsel for the parties and taking into consideration the materials available on record, the fact that petitioner is in custody since 26.3.2020, this is 2nd attempt for bail on behalf of the petitioner, charge sheet has already been submitted in the matter and 'Charas' seized from the possession of the petitioner is slightly more than small quantity, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J. 1st cum Special Judge,



Hajipur, Vaishali in connection with Kartaha P.S. Case No. 32
of 2020 on the following condition:-

*(i) that the petitioner shall remain
present on each and every date during the
course of trial and in case of default on
two consecutive dates on the part of the
petitioner, his bail bond shall liable to be
cancelled.*

It is made clear that at the time of furnishing bail bond
all the parties shall follow the guidelines regarding social
distancing.

(Anil Kumar Sinha, J)

praful/-

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

