

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38388 of 2021

Arising Out of PS. Case No.-20 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Begusarai

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ASHOK KUMAR RAI @ ASHOK KUMAR RAY Son of Late Shivnath Rai
Resident of Village- Chandrapura, P.O.- Chandrapura, P.S.- Raghapur,
District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India through Narcotics Control Bureau, Patna, Bihar. Bihar, Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Ashok Kumar Mishra, Advocate
For the Opposite Party/s :	Mr. Satyendra Narayan Singh, APP
	Mr. Manoj Kumar Singh, CGC

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

3 01-09-2021 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 8,20,25,29 of the Narcotic Drugs And Psychotropic Substances Act.

Earlier twice also, petitioner had moved this Court for grant of regular bail which was rejected vide Annexure 1 series and by both the rejection orders, trial court was directed to expedite and conclude the trial within one year from the date of order.

Allegation is recovery of 517 kg. Ganja concealed in

cabin of Tata 407 vehicle. A Xylo vehicle was allegedly escorting the aforesaid vehicle in which four persons were sitting including the petitioner.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. Similarly placed co-accused Ram Sevak Rai has already been granted bail by a co-ordinate Bench of this Court vide order dated 23.06.2021 passed in Cr. Misc. No.31768 of 2020. It has been submitted that petitioner has no criminal antecedent and he is in custody since and he is in custody since 13.04.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with NDPS Case No.6 of 2018 arising out of NCB/PZU/Crime No. 20 / 2018 with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as

directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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