

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32877 of 2020

Arising Out of PS. Case No.-219 Year-2019 Thana- RAHUI District- Nalanda

ANTARYAMI THAKUR Son of Vidya Sagar Thakur Resident of Village -
Athmalgola Ganjpar, P.S.- Athmalgola, District - Patna, Bihar- 803211.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lalan Kumar, Advocate

For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 08-01-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner has filed the instant application for
grant of regular bail in connection with Rahui (Wena) P. S
Case no. 219 of 2019 registered under sections 8, 20(b)(ii)(c),
25 and 29 of the N.D.P.S. Act.

As per allegation in the FIR, a total of 389.6 kgs of
ganja is stated to have been recovered from a truck of which the
petitioner was the driver.

It is submitted by learned counsel for the petitioner
that no recovery as alleged has taken place. He was only a
driver and has no concern with the seized article. He has no
criminal antecedent. It is further submitted that earlier
application for bail of the petitioner was rejected vide order
dated 13.1.2020 (Annexure 1) passed in Cr. Misc. no. 77078 of
2019.

The application for bail is opposed by learned counsel
for the State.

By order dated 8.12.2020 a report was called for from



the learned Court below with respect to the stage of trial in the above case. A report contained in letter no. 1/2021 of the Additional Sessions Judge 1st-cum-Special Judge, Biharsharif, Nalanda has been received from which it transpires that although charge was framed in the case on 4.2.2020, not a single witness has been examined on behalf of the prosecution.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case together with the petitioner being in custody since 12.6.2019, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Rahui (Wena) P.S. Case no. 219 of 2019 on furnishing bail bond of Rs. 10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge N.D.P.S.-cum-1st Additional Sessions Judge, Nalanda at Biharsharif.

It is further directed that the petitioner shall remain present in Court on each and every date of trial and in case of absence of the petitioner on two consecutive dates for reasons not to the satisfaction of the Trial Court, the bail bond of the petitioner shall be canceled and he shall be taken into custody till conclusion of the trial.

(Partha Sarthy, J)

Prakash/-

U			
---	--	--	--

