

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35679 of 2020

Arising Out of PS. Case No.-13 Year-2017 Thana- GOVERNMENT OFFICIAL COMP.
District- Begusarai

Mayangbam Subal Singh Son of Babuchan Singh Resident of Village -
Bhumipara, P.S. - Kumarghat, District - Unnkoti, Tripura.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India through the Intelligence officer, Narcotics Control Bureau, Patna Zonal Unit. Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

3 18-01-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for regular bail has been filed by the petitioner in connection with N.D.P.S. Case No.13 of 2017 (NCB Crime No.12 of 2017) registered under sections 20(b) (ii) (c), 25, 27A and 29 of the N.D.P.S. Act.

As per allegation in the FIR, 1306 Kg. of *ganja* was recovered from a truck of which the petitioner is stated to be the driver.

It is submitted by learned counsel for the petitioner that no incriminating article as alleged has been recovered from the truck being driven by him. He has been falsely implicated in



the case, he has no criminal antecedent and is in custody since 17.6.2017. There is no chance of the trial concluding in the near future.

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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case together with the fact that the petitioner is in custody since 17.6.2017 and his case stands on a similar footing to that of co-accused Ashok Kumar who has been enlarged on bail vide order dated 10.7.2020 (Annexure-2 series) passed in Cr. Misc. No.16485 of 2020, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with N.D.P.S. Case No.13 of 2017 (NCB Crime No.12 of 2017) on his furnishing bail bond of Rs. 10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge 1st -cum-Special Judge, N.D.P.S. Act, Begusarai.

In view of the fact that the trial in the case has already proceeded, however, the same could not be concluded due to Covid-19 pandemic, it is directed that the petitioner shall be released on the following conditions:



(a) Both the bailors shall be resident of the territorial jurisdiction of the learned Court below.

(b) The petitioner shall fully cooperate and remain personally present on each date of trial failing which the learned trial Court shall be at liberty to cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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