

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31768 of 2020

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

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RAM SEVAK RAI Son of Late Balelshwar Rai Resident of Village - Rariyahi
@ Radiyahi, P.S.- Tajpur, District - Samastipur

... .. Petitioner

Versus

THE UNION OF INDIA THROUGH THE INTELLIGENCE OFFICER,
PATNA ZONAL UNIT, NCB, PATNA

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Manoj Kumar Singh (CGC)

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 23-06-2021 Heard the parties in virtual Court proceeding.

The petitioner is languishing in custody for the offences punishable under Sections 8, 20, 29 of the N.D.P.S. Act.

Huge quantity of ganja was recovered from a truck. A Xylo vehicle was allegedly escorting the said truck in which four persons were therein including the petitioner. Petitioner is in custody since 13.04.2018.

In the past, prayer for bail was refused on 19.04.2019 with direction to the trial Judge to expedite the trial and the petitioner was allowed liberty to renew the prayer, if the trial is not concluded within one year.

The report of the trial Judge reveals that the trial could



not proceed as the petitioner was not produced from the jail custody. Thereafter, explanation was called for from the Jail Superintendent which shows that physical production of the petitioner before the court was ensured on each and every date since 27.04.2018 to 08.04.2020.

There is no reason that why the trial did not take progress during the aforesaid period. Thereafter, due to Covid effect the physical production was not there though production through video conferencing was there.

Considering the nature of material and the period already undergone by the petitioner as well as undertaking of the petitioner to co-operate with the trial and not to tamper with the evidence, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 50,000/- (Fifty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with N.D.P.S. Case No. 06 of 2018 arising out of NCB Crime No. 20 of 2018, with following conditions:

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

(b) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below



shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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