

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1806 of 2021

Arising Out of PS. Case No.-566 Year-2019 Thana- PURNEA SADAR District- Purnia

Rohit Kuamr Gupta @ Chhotu aged about 32 years, Gender Male, Son of
Kailash Pd. Gupta Resident of Nageshwar bagh, P.S.- Sadar, District- Purnia.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrendra Kumar

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4. 10-06-2021 Heard learned counsel for the parties through video conferencing.

Earlier, the bail application of petitioner was rejected, vide order dated 28.01.2020 passed in Cr.Misc. No. 3134 of 2020 (Annexure -1), with following observation:

“....I am not inclined to enlarge the petitioner on bail at this stage, however once the charge is framed in this case, the petitioner is at liberty to renew his prayer for bail.”

In this regard, vide order dated 19.03.2021, a report regarding stage of the trial was called for, which has been received and kept at flag ‘R’ and on perusal of the same, it appears that charges have already been framed on 08.09.2020, but till date, no prosecution witness has been produced for their evidence.

It is submitted on behalf of petitioner that though, charges have already been framed on 08.09.2020, but till date,



there is no progress in the trial and petitioner is in custody since 08.11.2019.

Considering the aforesaid facts & circumstances as well as observation of this Court in the earlier bail petition of petitioner, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, Purnea in connection with Special Case No. 31 of 2019/C.I.S. No. 31 of 2019 (NDPS Act), arising out of Sadar P.S. Case No. 566 of 2019, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

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

(Prabhat Kumar Singh, J.)

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