

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58537 of 2021

Arising Out of PS. Case No.-36 Year-2020 Thana- CHAPRA RAIL P.S. District- Saran

1. DHARMENDRA KUMAR S/o- Sri Bindeshwar Ray Resident of Village- Mayil, P.S.- Biddupur, District- Vaishali.
2. Dharmendra Kumar S/o- Sri Rajendra Rai Resident of Village- Mayil, P.S.- Biddupur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 06-10-2021 Heard Mr. Vijay Kumar Sinha, learned counsel

for the petitioners and Mr. Arun Kumar Singh, learned

Additional Public Prosecutor appearing for the State

through video conferencing.

Petitioners seek regular bail in connection with

NDPS Case No. 04 of 2020 arising out of Rail Chhapra P.S.

Case No. 36 of 2020 registered for the offence punishable

under Section 20 of NDPS Act.

This is second attempt for grant of regular bail on

behalf of the petitioners inasmuch as earlier the bail

application of the petitioners was rejected by this Court vide

order dated 23.11.2020 passed in Cr. Misc. 24445 of 2020



with liberty to renew their prayer for grant of regular bail after nine months if the trial does not show any progress.

The allegation, as per the First Information Report, is that the Police intercepted the petitioners and recovered a total quantity of 6 Kg 600 grams *Ganja* from their possession.

Learned counsel for the petitioners submits that earlier the bail application of the petitioners was rejected by this Court granting them liberty to renew their prayer for grant of regular bail after nine months. Learned counsel next submits that the *Ganja* allegedly recovered from possession of the petitioners is not of commercial quantity and the petitioners have got no criminal antecedents and they are in custody since 28.2.2020.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that the petitioners are in custody since 28.2.2020 and the trial is not likely to be concluded in near future due to Covid-19 pandemic as well as *Ganja* allegedly recovered from possession of the petitioners is less than commercial quantity, I am inclined to grant regular bail to



the petitioners.

Accordingly, let the petitioners, above named, be released on regular bail on furnishing bail bonds of Rs.25,000/- (Twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge cum Special Judge, NDPS, Saran at Chhapra, in connection with NDPS Case No. 04 of 2020 arising out of Rail Chhapra P.S. Case No. 36 of 2020.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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