

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2534 of 2022**

Arising Out of PS. Case No.-765 Year-2020 Thana- AHYAPUR District- Muzaffarpur

SUNIL KUMAR Son of Sri Gobind Rai @ Govind Roy Resident of Village -
Shekhpur, P.S. - Ahiyapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

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

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 02-03-2022 Heard learned counsel for the parties.

The petitioner has renewed his prayer for bail in a case registered under sections 414 and 34 of the Indian Penal Code and sections 20 and 22 of the NDPS Act.

As per the prosecution case, 100 gms of charas, 1 kg of ganja as also three purias of ganja was recovered from the possession of the petitioner

It is submitted by learned counsel for the petitioner that the earlier application for bail of the petitioner was rejected vide order dated 28.9.2021 passed in Cr. Misc. no. 12584 of 2021 and inspite of the petitioner being in custody since 25.9.2020 there is no progress in the learned trial Court. Further, co-accused Amar Nath Sahni and Lalan Mahto have been enlarged on bail vide orders brought on record as Annexures 3



and 4 to this petition.

A report was called for from the learned trial Court. As per the report received contained in letter dated 7.2.2022 charge has been framed in the case on 1.10.2021 and the case is fixed for prosecution evidence.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the petitioner being in custody since 1 year 5 months, not having any criminal any antecedent, grant of bail to the above named co-accused and charge having been framed in the case, the Court directs the petitioner to be enlarged on bail in connection with NDPS Case no. 83 of 2020 (arising out of Ahiyapur P.S. Case no. 765 of 2020) on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned 4th Additional Sessions Judge, Muzaffarpur subject to the following conditions :

(i) One of the bailors of the petitioner shall be his father.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

In case of violation of the conditions laid above or in



case the petitioner is not cooperating in the trial, the learned Trial Court may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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