

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15566 of 2021

Arising Out of PS. Case No.-84 Year-2019 Thana- GARDANIBAG District- Patna

Rajesh Kumar S/o Lakheshwar Mahto @ Lakheshwar Prasad @ Lakheshwar Prasad Resident of Village- Jiuri, P.S.- Pakri Baraw, District- Nawada. Presently resides at Mahavir Colony, P.S.- Beur, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Dr. Chandra Shekhar Azad, Adv.

For the Opposite Party/s : Ms. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 13-04-2022 Registry has pointed out several defects in the present application.

Learned counsel for the petitioner undertakes to remove the defects within two weeks.

In view of the undertaking given by the petitioner, the matter is taken up for consideration.

Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner who is in custody since 7.02.2019 in connection with Gardanibagh P.S. Case No. 84 of 2019 registered under Sections 21(b)(2), 25 and 27 of the NDPS Act has renewed his prayer for bail. His prayer for bail was earlier rejected by this Court vide order dated 21.05.2019 passed in Cr.



Misc. No. 33451 of 2019 taking into consideration the allegation that 34.77 grams of heroin (diamorphine) was recovered from the dickey of a car in which the petitioner and two others were travelling.

Learned counsel appearing for the petitioner submitted that the charges were framed by the court below on 11.09.2019 and, since then, there is no progress in the trial. He contended that two other co-accused, namely, Ashish Singh @ Ranveer Kumar Singh and Sunil Kumar have already been granted bail by a co-ordinate Bench of this Court vide order dated 27.08.2019 and 27.09.2019 passed in Cr. Misc. Nos. 28414 of 2019 and 29808 of 2019 respectively. He further contended that by now the petitioner has remained in custody for three years and there is no possibility of the conclusion of the trial in near future.

Learned counsel for the State opposed the prayer for bail. However, he does not dispute the fact that two other co-accused persons having identical allegation have already been grant bail by a co-ordinate Bench of this Court.

Considering the submissions made above, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of



the like amount each to the satisfaction of learned Sessions Judge, Patna in connection with Gardanibagh P.S. Case No. 84 of 2019.

(Ashwani Kumar Singh, J)

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