

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13439 of 2022**

Arising Out of PS. Case No.-134 Year-2020 Thana- AHYAPUR District- Muzaffarpur

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SAMIR KUMAR @ SAMIR RAI Son of Sri Nawal Kishore Ray Resident of  
Village- Shahpur, P.S.- Minapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

|                            |   |                                                                 |
|----------------------------|---|-----------------------------------------------------------------|
| For the Petitioner/s       | : | Mr.Ajay Kumar Thakur, Advocate<br>Mrs.Vaishnavi Singh, Advocate |
| For the Opposite Party/s : |   | Mr.Ashok Kumar, APP                                             |

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

4      22-06-2022      Heard the parties.

The petitioner seeks bail in a case registered for the offence punishable under Sections 20/22 of Narcotic Drugs and Psychotropic Substance Act.

Earlier, the prayer for bail of this petitioner was rejected vide order dated 25.05.2021 passed in Cr. Misc. No.2334 of 2021 by this Court with a liberty to renew his prayer for bail after six months.

The petitioner has now filed this application for bail, in which, vide order dated 18.05.2022, a report was called for, regarding the stage of trial.

In compliance thereof, a report sent by learned 1<sup>st</sup> Additional District and Sessions Judge, Muzaffarpur, dated



21.05.2022, is kept at flag 'A', whereby it is submitted that charge has been framed but no any witness have been examined till date and petitioner is in custody since 05.02.2020 i.e. for more than two years.

Considering the submissions made and the custody of more than two years, the above named petitioner is directed to be enlarged on bail 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 Court below where the case is pending/successor Court in connection with Ahiyapur P.S. Case No.134 of 2020, subject to the following conditions:

(1) One of the bailors will be own close relative of the petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

(3) The petitioner shall remain physically present in



the court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(5) The petitioner shall appear before the Police Station of his local area in the first week of each month till the disposal of the present case.

**(Anjani Kumar Sharan, J)**

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