

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26232 of 2022

Arising Out of PS. Case No.-2 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Sitamarhi

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MD. EAJUL HAQUE SON OF ABDUL BASIR R/O- VILLAGE-
HUSSAINA, WARD NO- 9 (MEHSAUL), P.S- MEHSAUL, DIST-
SITAMARHI

... .. Petitioner/s

Versus

THE UNION OF INDIA THROUGH THE MINISTRY OF HOME AFFAIR
NARCOTICS CONTROL BUREAU , KARPURI THAKUR SADAN,
RAJIV NAGAR, PATNA -25

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Adv. Mr.Uday Kumar
For the Opposite Party/s :		Mr. Ratnesh Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 22-06-2022 Heard Mr. N.K. Agrawal, learned senior counsel for

the petitioner and Mr. Ratnesh Kumar, learned counsel for the

Union of India.

This is 2nd attempt for regular bail on behalf of the
petitioner in connection with Complaint Case No. C2-02/2020
registered for the offence under Section 8 / 20 (b)(ii)(b) of the
N.D.P.S. Act inasmuch as earlier bail application of the
petitioner was rejected by this Court *vide* Cr. Misc. No. 1658 of
2021 dated 06-04-2021 granting liberty to the petitioner to
renew his prayer for bail after completion of one year in custody
from the date of order if the trial does not record any progress,
however, before expiry of one year period the petitioner



approached this Court in Cr. Misc. No. 65052 of 2021 and this Court by its order dated 01/12/2021 dismissed the bail application of the petitioner observing that the petitioner has renewed his prayer for bail before completion of one year from the date of order i.e. 06/04/2021 passed in Cr. Misc. No. 1658 of 2021.

Learned senior counsel for the petitioner submits that petitioner is in custody for about 02 years i.e. since 08 / 07 / 2020 and *Ganja* allegedly recovered from his possession is less than commercial quantity.

On the other hand learned counsel for the Union of India contended that the petitioner has got one criminal antecedent of similar nature of offence.

Regard being had to the submissions made by the parties and taking into consideration the fact that *Ganja* recovered from possession of the petitioner is less than commercial quantity, this is 2nd attempt for bail on behalf of the petitioner, he is in custody since 08 / 07 / 2020 and trial is not likely to be concluded in near future , and as such, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20,000/-



(twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (N.D.P.S.), Sitamarhi in connection with Complaint Case No. C2- 02 / 2020.

(Anil Kumar Sinha, J)

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