

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32965 of 2022

Arising Out of PS. Case No.-150 Year-2019 Thana- AMAS District- Gaya

=====

SONU PAL SON OF VIDYA PAL @ NAGEENA PRASAD RESIDENT OF
VILLAGE- NARAYANPUR, P.S.- KOCHAS, DISTRICT- ROHTAS

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Advocate

For the Opposite Party/s : Dr. Ajeet Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 24-08-2022 Heard learned counsel for the parties.

The petitioner has renewed his prayer for grant of regular bail in a case registered under sections 8, 20(b)(ii)(c) and 29 of the NDPS Act.

Prosecution case is of recovery of 120 kgs of Ganja from the jeep being driven by this petitioner.

It is submitted by learned counsel for the petitioner that the earlier prayer for bail of the petitioner was rejected vide orders dated 29.1.2020 and 10.3.2021 (Annexure - 1 series) with the directions to the learned trial court to expedite the trial. In spite of the petitioner being in custody since 2.8.2019, no witness has been examined on behalf of the prosecution and there is no chance of the trial concluding in the near future.

Heard learned APP for the State.



A report was called for from the learned trial Court. As per the report received contained in letter dated 1.8.2022, no witness has been examined on behalf of the prosecution.

Having heard learned counsel for the parties and on perusal of the material on record it transpires that the petitioner is in custody since 2.8.2019 ie for more than three years. Further from the contents of the report dated 1.8.2022 received from the learned trial court, it transpires that a number of co-accused are on bail. Further there are nine chargesheet witnesses but no witness has been examined and non-bailable warrant of arrest has been issued for production of the chargesheet witnesses through the S.S.P., Gaya. Thus in view of the facts of the case, the petitioner having remained in custody for 3 years and no witness having turned up in the trial on behalf of the prosecution inspite of issuance of non-bailable warrant of arrest against them, the petitioner is directed to be enlarged on bail in connection with NDPS Case no. 53 of 2019 (arising out of Amas P.S. Case no. 150 of 2019) on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge XV, Gaya subject to following conditions:

(I) The father of the petitioner shall be one of the



bailors of the petitioner,

(II) The other bailor of the petitioner shall be a
Government servant, and,

(III) The petitioner shall remain physically present in
court on each date of the trial and shall cooperate in the trial.

(Partha Sarthy, J)

Spd/-

U		T	
---	--	---	--

