

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33822 of 2022

Arising Out of PS. Case No.-439 Year-2017 Thana- AGAMKUAN District- Patna

Ravi Kumar @ Singhada Son Of Brij Kishoor Gupta Resident Of Village-
Meena Bazar, P.S.- Alam Gaj, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 08-09-2022 The learned counsel for the petitioner is directed to re-

move all the defects pointed out by the Stamp Reporter within one

month.

Heard learned counsel for the petitioner and the learned

APP for the State.

Petitioner seeks regular bail in connection with

Agamkuan P.S case No 439 of 2017, registered for the offences

punishable under Sections 20, 21, 22 of the NDPS Act.

Allegedly, 500 grams narcotic drugs suspected to be

charas was recovered from the possession of this petitioner.

The main submissions advanced by Mr. Dhananjay

Prasad, learned counsel for petitioner are that the petitioner has

been languishing in jail since 11.09.2017 and against him the

charge has been framed on 07.02.2018 and thereafter no prosecu-



tion witness has been examined till today and petitioner has clean antecedent.

Mr. Aditya Narayan Singh, learned APP for the State has opposed the prayer for bail.

Having considered the petitioner's long custody period and mainly taking into account the prosecution's lingering attitude to produce and examine the prosecution witnesses in the trial of the petitioner and petitioner was charged on 28.11.2018 but thereafter no prosecution witness has been produced before the trial Court as mentioned in the paragraph no. 8 of the petition and appears from the order of Court below which shows the lingering attitude of the prosecution, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Aagam Kuan P.S. case no. 439 of 2017, on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court below and shall remain physically present as directed by the Court below and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the



witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(3) One of the bailers shall be a close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

(4) The Court below will verify the criminal antecedent of the petitioner but acceptance of bail bond will not be delayed on account of process of verification of the said criminal antecedent. If any criminal antecedent of the petitioner is found then the Court below shall take serious action against him for cancellation of his bail bond.

(Shailendra Singh, J)

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