

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34149 of 2022

Arising Out of PS. Case No.-11 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

=====

Suku Sarkar S/O Late Birendra Nath Sarkar Resident of Ward No. 07, P.O.
And P.S.- Galgalia, District- Kishanganj.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Union of India through Intelligence Officer Narcotics Bureau Karpoori
Bhawan Ashiyana Digha, Road, Patna, Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bijay Kumar, Adv.
For the NCB : Mr. Alok Ranjan, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 06-07-2022 Heard Mr. Bijay Kumar, learned counsel for the

petitioner and Mr. Alok Ranjan, junior to Mr. Manoj Kumar

Singh, who represents Narcotics Control Bureau.

The prayer for bail of the petitioner was earlier
rejected thrice, the last time on 24.11.2021.

The petitioner is in custody since 06.03.2018 and,
uptill now, not a single witness has been examined on behalf of
the prosecution.

The petitioner was found to be occupying a vehicle
from where 137 Kgs. of Ganja was recovered.

It has been asserted by the petitioner that there were
other occupants on the vehicle as well apart from the petitioner.



Considering the aforementioned facts namely the period of custody of the petitioner and that no witness has been examined uptill now and there being nothing on record to indicate that the delay in trial is attributable to the petitioner, this Court is inclined to direct for his release. Accordingly, the petitioner is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District Judge-XVII, Patna in connection with Special Case No. 15 of 2018 arising out of Case No. F. No. NCB/PZU/V/11/2018.

The petitioner shall participate in the trial diligently and his absence from the trial proceedings on two consecutive occasions without proper permission from the trial court would render his bail liable to be cancelled. The petitioner shall not leave the territorial confines of the district where the trial is continuing without seeking approval of the trial court. He shall get his presence marked before the officer-in-charge of the concerned police station on the first Wednesday of every month. The petitioner shall keep his mobile telephone number, which number he shall provide at the time of furnishing of bail bonds, in operative condition till the conclusion of the trial.

Breach of anyone of the conditions enumerated above



shall render his bail liable to be cancelled.

The application stands allowed.

(Ashutosh Kumar, J)

rishi/-

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

