

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.581 of 2017**

Arising Out of PS. Case No.-156 Year-2014 Thana- LAURIA District- West Champaran

Khatuna Khatun W/o Late Naju Mian, Resident of Village- Kataiya, P.S.-
Lauria, District- West Champaran.

... .. Appellant/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Sanjeev Kumar, Advocate

For the Respondent/s : Mr. Binod Bihari Singh, APP

**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER**

5 24-03-2022 Heard Mr. Sanjeev Kumar, learned Advocate for the
appellant and Mr. Binod Bihari Singh for the State.

The appellant has been convicted and sentenced under Sections 20(b) (ii) (C), 22 (C) and 23 (C) of the Narcotic Drugs and Psychotropic Substances Act vide judgment and order dated 04.01.2017 and 09.01.2017 respectively passed by learned 1st Additional District and Sessions Judge, Bettiah, West Champaran in Trial No. 08 of 2015/C.I.S. No. 525 of 2015, arising out of Lauria P.S. Case No. 156 of 2014. He has been sentenced to undergo R.I. for 10 years, to pay a fine of Rs. 1 lakh under each head and in case of non-payment of fine, to further suffer simple imprisonment for six months.

The sentences, however, have been ordered to run concurrently.

It has been urged on behalf of the appellant that he is in



custody since 11.10.2014 and thereby has spent more than eight years in custody.

There is little or no likelihood of this appeal being taken up for hearing in near future.

Considering the period of custody of the appellant, he 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 1st Additional District and Sessions Judge, Bettiah, West Champaran in connection with Trial No. 08 of 2015/C.I.S. No. 525 of 2015, arising out of Lauria P.S. Case No. 156 of 2014.

The appellant shall participate in the final hearing of the appeal. While furnishing his bonds, he shall also provide his mobile telephone number and the mobile telephone numbers of the sureties which shall be kept in operative condition till the time the appeal is finally heard.

Any breach of the conditions imposed herein would make the bail granted to the appellant during the pendency of the appeal liable to be cancelled.

The realization of fine also shall be stayed till the pendency of the appeal.

(Ashutosh Kumar, J)

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