

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37669 of 2022

Arising Out of PS. Case No.-263 Year-2017 Thana- JAGDISHPUR District- Bhojpur

BIMAL BIHARI SINGH SON OF JAGHI SINGH RESIDENT OF
VILLAGE- MATHURAPUR, P.S.- BIHIYA, DISTRICT- BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. P.N.Shahi, Sr. Adv. Mr. Awadhesh Kumar Pandey, Adv.
For the Opposite Party/s	:	Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 31-08-2022 Heard learned Senior counsel for the petitioner and
learned A.P.P. for the State.

The petitioner has renewed his prayer for grant of
regular bail in a case registered under sections 21, 22 and 24 of
the N.D.P.S. Act.

As per the prosecution case, on the tractor and
trolley in question being stopped for checking, a total of
575.295 kgs of ganja was recovered.

It is submitted by learned Senior counsel appearing
for the petitioner that the earlier prayer for bail of the petitioner
was rejected vide order dated 23.3.2022 passed in Cr. Misc.
no.46968 of 2021. Even as per the prosecution case, the
petitioner was not arrested at the spot. The only reason for false



implication of the petitioner is that he happens to be the registered owner of the vehicle in question. He has no concern with the seized ganja. He is in custody since 24.5.2021 and undertakes to abide by all the conditions which may be laid by this Court for his release on bail.

The application for bail is opposed by learned A.P.P. for the State.

As per the report received contained in letter dated 2.8.2022 of the In-charge Additional Sessions Judge-2nd, Bhojpur, Ara, charge was framed in the case on 2.2.2022 and summons have been issued for summoning of witnesses, however no witness has been produced as of now.

Having heard learned counsel for the parties and taking into consideration the petitioner not having been arrested at the spot, not having any criminal antecedent, having remained in custody since 24.5.2021 and no witness having turned up in the learned trial court inspite of charge having been framed on 2.2.2022, the Court directs the petitioner to be enlarged on bail in connection with N.D.P.S. Case no.32(A) of 2017 (arising out of Jagdishpur P.S. Case no.263 of 2017) on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions



Judge-cum-Special Judge, Bhojpur at Ara, on the following conditions:

(i) one of the bailors of the petitioner shall be his father.

(ii) the petitioner shall remain physically present in Court on each date of the trial and shall cooperate in the trial.

(Partha Sarthy, J)

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