

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45431 of 2022**

Arising Out of PS. Case No.-564 Year-2019 Thana- GAYA KOTWALI District- Gaya

ANIL RAWANI SON OF LATE GOPAL RAWANI @ GOPAL PRASAD R/O
MOHALLA- GANGA MAHAL, TUTWARI, P.S.- KOTWALI, DISTRICT-
GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2, Advocate

For the Opposite Party/s : Mr.Rabindra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 31-08-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

This is the second attempt of the petitioner to seek bail as earlier by order dated 18.01.2022 in Cr. Misc. No. 21059 of 2021, the bail of the petitioner was rejected on the ground that the alleged recovery of *charas* was of commercial quantity.

Learned counsel for the petitioner submits that the order dated 18.01.2022 also recorded the submissions of the learned counsel for the petitioner that nothing was recovered from his conscious possession and only to tame the petitioner on account of his antecedents, the present false case with allegation that he even fired near the travel agency was instituted. Learned counsel further submits that presently five witnesses have been



examined and the trial is going on.

In view of the submissions made by the learned counsel for the petitioner, the Court is not inclined to grant bail to the petitioner.

However, if the trial is not concluded within a period of nine months from today, the petitioner will be at liberty to file a bail application before the learned trial court itself and the learned trial court will consider his application for bail keeping in mind the fact that nothing was recovered from his conscious possession.

In the event, if the learned trial court comes to a conclusion that the petitioner with a view to seek advantage of the present order has delayed the trial then will be at liberty to cancel the bail bonds of the petitioner after recording reasons.

(Satyavrat Verma, J)

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