

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51937 of 2022

Arising Out of PS. Case No.-67 Year-2021 Thana- UDWANTNAGAR District- Bhojpur

UDHARI SINGH SON OF LATE DHURFEKAN SINGH @ LATE
GHURFEKAN SINGH R/O VILLAGE- BRAHMPUR, P.S.- BRAHMPUR,
DISTRICT- BUXAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-09-2022 Heard senior learned counsel for the petitioner and

learned A.P.P. for the State.

This is the second attempt of the petitioner to seek regular bail, as earlier his bail application was rejected by order dated 15.02.2022 on the ground that the alleged recovery of Heroin is much less than commercial quantity but a little more than small quantity and the petitioner was in custody only since 07.02.2021.

The petitioner seeks bail in a case registered for the offences punishable under Section 21(B) of the Narcotic Drugs And Psychotropic Substances Act.

Learned senior counsel for the petitioner submits



that charges have been framed against the petitioner on 15.02.2022, as would be evident from Annexure-3 to the bail application, thereafter the case was transferred from the Court of learned 2nd Additional District Judge, Bhojpur, to the Court of learned Additional District Judge-IV, Bhojpur on 26.03.2022 and thereafter summons were issued for presence of witnesses vide order dated 28.03.2022, but thereafter on six dates, the learned trial court took up the case but none of the witnesses appeared.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the submissions made by the learned senior counsel for the petitioner, the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty-Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Udwantnagar P.S. Case No. 67 of 2021.

One of the bailors shall be the maternal uncle of the petitioner 'Jay Kumar Singh'.

Further, if the learned trial court comes to a



conclusion that the petitioner, after his release on bail, is trying to delay the trial in any manner, the trial court shall forthwith cancel his bail bonds after recording reasons.

(Satyavrat Verma, J)

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