

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61440 of 2021

Arising Out of PS. Case No.-623 Year-2021 Thana- KHAJANCHI HAT District- Purnia

Banti Kumar Son of Late Gopi Choudhary, Resident of Mohalla - Shiv Shakti Nagar, P.S.- K.Hat (Marauga), Distt.- Purnea.

... .. Petitioner/s

Versus

The Union Of India.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Adv.

For the Opposite Party/s : Mr. K.N.Singh (ADSG)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 28-09-2022 Let the defect(s), if any, be removed within two weeks from today.

Heard learned counsel for the petitioner, learned counsel for Union of India and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with K. Hat (Sahayak) P.S. Case No. 623 of 2021 (Spl. NDPS Case No.56 of 2021), lodged under Sections 8(c), 21(b), 22(b) of the NDPS Act.

As per the prosecution case, the recovery of 21 grams of brown sugar has been made from the possession of petitioner.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that antecedent of petitioner is clean and he is in custody since 12.07.2021, charge sheet has already been filed in

this case.

Upon specific query that whether charge has been framed or not, learned counsel for the petitioner submits that as per his knowledge, charge has not been framed.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, I am not inclined go grant bail to the petitioner at present, but he may renew his prayer for bail after three months of framing of charge.

In case, the petitioner move for regular bail before the Trial Court after three months of framing of charge, the Trial Court shall release him on bail imposing its own conditions, so that he may not evade his appearance during trial.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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