

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65281 of 2021

Arising Out of PS. Case No.-381 Year-2020 Thana- HAJIPUR SADAR District- Vaishali

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ARJUN KUMAR RAI @ ARJUN RAI Son of Lala Rai Resident of Village-
Chakaima, P.S.- Hajipur Sadar, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 19-01-2022 Heard Mr. Alok Kumar, learned counsel for the

petitioner and Mr. Ganesh Prasad Singh, learned Additional

Public Prosecutor appearing for the State through video

conferencing.

Petitioner seeks regular bail in connection with

Hajipur Sadar P.S. Case No. 381 of 2020 registered for the

offences punishable under Sections 8/20(b), (ii)A, 25 and 29 of

the Narcotic Drugs and Psychotropic Substance Act, 1985.

This is second attempt for grant of regular bail on

behalf of the petitioner inasmuch as earlier the bail application

of the petitioner was rejected by this Court vide order dated

15.4.2021 passed in Cr. Misc. 7786 of 2021 with liberty to

renew his prayer for grant of regular bail after six months if the

trial does not show any progress.



The allegation, as per the First Information Report , is that 24 grams of smack and 1100 gms. of *Ganja* were recovered from possession of the petitioner.

Learned counsel for the petitioner submits that while rejecting the earlier bail application, this Court had given liberty to the petitioner to renew his prayer for bail after six months if the trial does not show any progress. Learned counsel further submits that the trial is not likely to be concluded in near future due to Covid-19 pandemic and the charges have not yet been framed. The petitioner is in custody since 30.6.2020.

This Court by order dated 01.12.2021 had called for a report from the trial court regarding stage of trial and in pursuance thereof, the report of learned Additional District & Sessions Judge-1st, cum Special Judge, Vaishali at Hajipur, dated 20.12.2021 is on record and from perusal of the same, it appears that charge against the petitioner has not yet been framed by the trial court.

Regards being had to the submission made by the parties and taking into consideration the material on record, the report of the learned trial court that charges have not been framed against the petitioner as yet and the trial is not likely to be concluded in near future due to Covid-19 pandemic, I am



inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional District and Sessions Judge cum Special Judge, Vaishali at Hajipur, in connection with Hajipur Sadar P.S. Case No. 381 of 2020 subject to the condition that the petitioner will be well represented on each date in the trial and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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