

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 5 of 2022

Arising Out of PS. Case No.-191 Year-2021 Thana- HATHAURI District- Muzaffarpur

Pankaj Kumar Son of Yogi Rai R/o Village- Larkaniya Tola, P.S.-
Mahindwara, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 1193 of 2022

Arising Out of PS. Case No.-191 Year-2021 Thana- HATHAURI District- Muzaffarpur

Mani Bhushan Kumar S/o- Late Feku Rai R/o Village- Larkaniya Tola, P.S.-
Mahindwara, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 5 of 2022)

For the Petitioner/s : Mr. Ashok Kumar Jha, Adv.

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

(In CRIMINAL MISCELLANEOUS No. 1193 of 2022)

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

For the Opposite Party/s : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 06-12-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioners and learned
A.P.P. for the State through virtual mode.

The petitioners seek regular bail in connection with
Hathauri P.S. Case No. 191 of 2021 lodged under Sections 20

and 22 of the N.D.P.S. Act.

As per prosecution case, the total recovery of 2 kg *ganja* has been made from the conscious possession of the petitioner of the Cr. Misc. No. 1193 of 2022, who was sitting behind the petitioner of Cr. Misc. No. 5 of 2022 who was driving the motorcycle.

Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence. He further submits that petitioners are in custody since 04.08.2021 having clean antecedent. Charge-sheet has already been filed in this case.

Upon specific query whether charge has been framed or not learned counsel submits that he is not aware of fact that whether charge has framed or not.

Learned counsel for the State opposes the prayer for bail and submits that petitioners may be released only after framing of charge.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioners, therefore, their bail application is hereby **rejected**.

Liberty is hereby granted to the petitioners that they

may renew their prayer for bail after 1 month of the framing of charge.

Trial Court is directed to release the petitioners on bail after imposing its own conditions so that they may not evade their appearance during trial.

(Dr. Anshuman, J.)

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