

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8925 of 2023

Arising Out of PS. Case No.-47 Year-2020 Thana- GALGALIYA District- Kishanganj

KRANTI DEV NATH @ KANTI DEV NATH @ KAMTI DEV NATH Son
of Late Yogendra Dev Nath Resident of Village- Lal Bazar, Ward No.-2, P.S.-
Shital Kushi, District- Koochbehar (W.B.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amal Kumar Sinha

For the Opposite Party/s : Ms.Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 08-02-2023 Heard the parties.

Petitioner renews his prayer for regular bail in connection with Special Case No. 14 / 2020 arising out of Galgalia P.S. Case No. 47 / 2020 registered under Section 8 / 20 (b)(ii)(B) of the N.D.P.S. Act.

12.674 K.G. of *Ganja* has been recovered by the Police, which was kept beneath the seat of the petitioner in a Bus and 20 gram of *Ganja* has been recovered from the pocket of the petitioner.

This is second attempt for bail on behalf of the petitioner. Earlier, bail application of the petitioner was rejected vide Cr. Misc. No. 33815 of 2021 by order dated 22.12.2021



with liberty to the petitioner to renew his prayer for bail after six months. The petitioner is in custody since 17-10-2020.

Learned counsel for the petitioner submits that trial has not progressed substantially and only official witnesses have been examined. The quantity of *Ganja* recovered from the Bus and from the body of petitioner is less than commercial quantity.

Regard being had to the submissions made by the parties, taking into consideration the materials available on record, the fact that petitioner is in custody since 17/10/2020, trial has not progressed substantially, *Ganja* which has been recovered from the petitioner is less than commercial quantity and this is 2nd attempt for bail on behalf of the petitioner, as such, I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 25,000 /- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge – cum – Special Judge (N.D.P.S. Act) Kishanganj in connection with Special Case No. 14 / 2020 arising out of Galgalia P.S. Case No. 47 / 2020 on the condition that the petitioner shall remain physically present on each and every date during the course of trial and in case of default on two consecutive dates, his bail bond shall liable to be



cancelled.

(Anil Kumar Sinha, J)

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