

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21379 of 2023

Arising Out of PS. Case No.-140 Year-2021 Thana- DIGHA District- Patna

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SUNIL KUMAR @ SUNIL RAY SON OF BHUPNATH RAI R/O DIGHA
CHAUHATTA, P.S.- DIGHA, DISTT.- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Raj Rani Chaudhary, Advocate.
For the State : Mr. Sanjay Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 05-04-2023 Heard Ms. Raj Rani Chaudhary, learned counsel for

the petitioner and Mr. Sanjay Kumar Singh, learned Additional

Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with Digha
P.S. Case No. 140 of 2021 dated 3.3.2021 registered for the
offences punishable under Sections 20, 22 and 24 of the NDPS
Act.

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
01.04.2022 passed in Cr. Misc. 50939 of 2021 with liberty to
renew his prayer for grant of regular bail after nine months.

As per prosecution story stated in the First
Information Report 1.3 kgs of Ganja has been recovered from



the house of the petitioner.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case with oblique motive and the *Ganja* has not been recovered from the house of the petitioner rather it has been recovered from Digha Chouhatta. She further submits that the petitioner is in custody since 20.07.2021 and the trial is not likely to be concluded in near future. She next submits that this Court while rejecting the bail application of the petitioner earlier vide order dated 01.04.2022 passed in Cr. Misc. 50939 of 2021 had given liberty to the petitioner to renew his prayer for bail after nine months.

Having regard to the submission made by the parties and taking into consideration the fact that the petitioner is in custody since 20.07.2021, this is second attempt for grant of bail on behalf of the petitioner, the trial is not likely to be concluded in near future and *Ganja* recovered is not of commercial quantity, 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.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge/Special Judge, Patna, in connection with Digha P.S. Case No. 140 of 2021/Special Case



No. 26 of 2021 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.

(Anil Kumar Sinha, J)

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