

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26232 of 2023

Arising Out of PS. Case No.-219 Year-2020 Thana- KHUSRUPUR District- Patna

DHARMENDRA KUMAR Son of Ramsalok Ray @ Ramslok Roy R/V-
Bakhtiyarpur, Baikatpur, Krishna Tola, PS- Khushrupur, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate.

For the Opposite Party/s: Mr. Sanjay Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 17-05-2023 Heard Mr. Jay Ram Prasad, learned counsel for the

petitioner and Mr. Sanjay Kumar Pandey, learned Additional

Public Prosecutor appearing for the State through video

conferencing.

Petitioner renew his prayer for bail in connection with

Special Case No. 95 of 2020 arising out of Khushrupur P.S.

Case No. 219 of 2020 registered for the offence punishable

under Sections 20(b) (II) (c)/22 (c) of the N.D.P.S. Act.

This is third attempt for grant of regular bail on behalf

of the petitioner inasmuch as earlier on two occasions the bail

applications of the petitioner were rejected by this Court vide

orders dated 16.04.2021 and 23.3.2022 passed in Cr. Misc. Nos.

7850 of 2021 and 64914 of 2021 respectively.

As per the prosecution case, the petitioner along with



other co-accused was indulged in the business of selling *Ganja* and the Police recovered 21.900 Kgs of *Ganja* from the house of co-accused Arvind Ray and arrested the petitioner from near the house of co-accused.

Learned counsel for the petitioner submits that the petitioner has got no criminal antecedents and he is in custody since 3.7.2020. The trial has not concluded as yet and the petitioner has remained in custody for about 2 and half years.

This Court vide order dated 19.4.2023 had called for a report from the trial court regarding stage of trial and in pursuance thereof, the report of learned Additional Sessions Judge-XVII, Patna, dated 15.5.2023 is on record and from perusal of the same, it appears that out of six charge sheet witnesses, four have been examined and cross examined and two are yet to be examined.

Regards being had to the submission made by the parties and taking into consideration the materials on record and the fact that the petitioner has remained in custody for more than 2 years seven months, majority of the witnesses have been examined by the prosecution and there is no likelihood that the petitioner will abscond or tamper with the evidence, 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.20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of learned learned Additional Sessions Judge- XVII, Patna, in connection with Special Case No. 95 of 2020 arising out of Khusrupur P.S. Case No. 219 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. .

(Anil Kumar Sinha, J)

S.Ali/-

U		T	
---	--	---	--

