

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29106 of 2023

Arising Out of PS. Case No.-48 Year-2022 Thana- DANAPUR District- Patna

MANISH RAJ Son of Ram Pratap Singh Resident of village-Bela Wrad No. 7, P.S.-Bihta, District-Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar

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

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

4 28-06-2023 Heard Ld. counsel for the petitioner and Ld. APP
for the State.

The petitioner seeks bail in connection with NDPS Case No. 20 of 2022, arising out of Danapur P. S. Case No. 48 of 2022, registered for the offences punishable under Sections 8, 20 and 21B of the Narcotic Drugs and Psychotropic Substances Act, 1985.

As per the prosecution case, emerging from the F.I.R., 11 gm. smacks was found from the possession of the accused-petitioner.

Ld. counsel for the petitioner submits that the petitioner had moved this Court earlier for regular bail vide



Cr. Misc. No. 21765 of 2022 and other analogous cases, which were rejected with an observation that if the trial is not concluded within a period of six months, the petitioners are at liberty to renew their prayer for bail.

He further submits that since the trial has not been concluded in the stipulated time, the petitioner, *vide* present application has renewed his prayer for bail.

He also submits that similarly situated person, in similar circumstances, has been granted bail by this Court *vide* order dated 03.05.2023, passed in Cr. Misc. No. 23281 of 2023.

Considering the aforesaid facts and circumstances, particularly the fact that the trial has not yet been concluded, this application is allowed, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Special Judge NDPS -cum- Additional District and Sessions Judge-XVII, Patna, in connection with NDPS Case No. 20 of 2022, arising out of Danapur P. S.



Case No. 48 of 2022 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hampered on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is



wrong, Ld. court below shall cancel the bail bonds of the petitioner.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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