

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56891 of 2022

Arising Out of PS. Case No.-81 Year-2022 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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Chandan Yadav @ Chandan Kr. Yadav @ Chandan Kumar Son of Mahendra
Yadav, R/o Village- Khanjarpur, Koylaghat, Ward No. 22, P.S.- Kotwali
(JOGSAR), Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-02-2023 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Kotwali (Jogsar) P.S. Case No. 81 of 2022, lodged under
Sections 20(b)(IIB)/21(b) of the N.D.P.S. Act.

As per prosecution case, the present F.I.R. has been
lodged against 4 named accused persons including the
petitioner, in which, only one accused namely Prem Kumar was
apprehended by the Police, rest were not apprehended from the
place of occurrence and their name has come in this case by
virtue of confessional statement of apprehended accused.



Learned counsel for the petitioner submits that petitioner is in custody since 06.03.2022, there are two criminal cases pending against him and he is on bail in both the cases. He further submits that similarly situated co-accused Prem Kumar has already been granted bail by the Co-ordinate Bench of this Court vide order dated 01.08.2022 passed in Cr. Misc. No. 22609 of 2022.

Learned counsel for the State opposes the prayer for bail and submits that petitioner is not innocent and there are criminal cases pending against him, one is of the year 2019 and another is of the year 2020 and the present case is of the year 2022.

Upon specific query from the counsel that whether charge has been framed in this case or not. Learned counsel submits that as per his knowledge, charge has not been framed.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner at present, therefore, his bail application stands **rejected**.

Liberty is hereby granted to the petitioner that he may renew his prayer for bail after framing of charge.

Trial Court is directed to release the petitioner on bail



upon move for bail after framing of charge, imposing its own conditions, so that he may not evade his appearance during trial.

Trial Court is also directed to expedite the trial after framing of charge.

(Dr. Anshuman, J.)

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