

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64330 of 2022

Arising Out of PS. Case No.-134 Year-2020 Thana- AHYAPUR District- Muzaffarpur

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SUNIL KUMAR S/O Kedar Prasad Yadav R/O Village- Shivraha Basudeo,
P.S- Ahiyapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Parasmani

For the Opposite Party/s : Mr.Jitendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 25-01-2023 Heard both sides.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 20/22 of N.D.P.S. Act.

Earlier the prayer for grant of bail to the petitioner
was lastly rejected on 13.04.2022 in Cr. Misc. No.16436 of
2022 with a direction to the Trial Court to conclude the trial as
expeditiously as possible preferably within a period of nine
months.

Learned counsel for the petitioner submits that the
trial has not been concluded till date and the petitioner is in
custody since 05.02.2020. It is further submitted that similarly
situated co-accused, Samir Kumar @ Samir Rai has already
been released on bail by this Court vide order dated 22.06.2022,
passed in Cr. Misc. No.13439 of 2022.



Considering the period of custody of the petitioner and the fact that the trial has not been concluded till date, let petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned 8th Additional Sessions Judge, Muzaffarpur in connection with Ahiyapur P.S. Case No.134 of 2020, subject to the following conditions:

(1) That one of the bailors will be a close relative of the petitioner, who will give an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the court if there is any change in the address of the petitioner.

(2) That the petitioner will be well represented on each and every date fixed in the case and if he fails to do so on two consecutive dates, his bail bonds shall be liable to be cancelled.

(3) That the petitioner will mark his attendance in the local police station in the first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(4) That the bailors shall also state on affidavit that



they will inform the court concerned, if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(Anjani Kumar Sharan, J)

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