

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70207 of 2022

Arising Out of PS. Case No.-146 Year-2020 Thana- KATHAIYA District- Muzaffarpur

=====

RAMNARAYAN SINGH Son of Late Agnidev Singh Resident of Village -
Saghanpura, P.S.- Kathaiya, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K., Adv.

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 11-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has renewed his prayer for grant of bail in a case registered under sections 25(1-B)(a), 26 and 35 of the Arms Act, sections 8, 20 and 22 of the NDPS Act and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

The earlier application for bail of the petitioner was rejected vide order dated 22.3.2022 passed in Cr. Misc. no.36573 of 2021.

As per the prosecution case, 500 grams of charas, a loaded pistol and 375 liters of liquor was recovered from the possession of the petitioner. The petitioner was taken into custody.

It is submitted by learned counsel for the petitioner



that inspite of the petitioner being in custody since 20.12.2020 and cooperating in the learned trial court, there is no progress whatsoever in the trial and no chance of the same concluding in the near future. The petitioner has no criminal antecedent so far as N.D.P.S. Act is concerned.

A report was called for from the learned trial court. As per the report received contained in letter dated 22.12.2022, chargesheet has been submitted on 29.1.2021 but cognizance is yet to be taken for want of sanction.

Having heard learned counsel for the parties and taking into consideration that the alleged recovery of charas is less than the commercial quantity, the petitioner has remained in custody for 2 years since 20.12.2020 and as per the report received from the learned trial court, cognizance is yet to be taken in the case, the Court directs the petitioner to be enlarged on bail in connection with Kathaiya P.S. Case no.146 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act (Excise Court no.2), Muzaffarpur.

(Partha Sarthy, J)

Saurabh/-

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

