

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7446 of 2024

Arising Out of PS. Case No.-3 Year-2018 Thana- DHOLBAJJA District- Bhagalpur

Sanjay Bhagat @ Anil Kumar Jaiswal S/O Late Ram Sagar Bhagat @ Ram Sagar Jaiswal R/O Ward No. 8, Chandrasuri Mohalla, Chausa, P.S- Chausa, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rahul Kumar Singh, Advocate
For the State : Mr.Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 16-04-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with N.D.P.S. Case No. 1 of 2020 arising out of Dholbajja (Kadwa O.P.) P.S. Case No. 3 of 2018 registered for the offence punishable under Sections 20 and 22 of the Indian Penal Code.

3. The petitioner is in custody since 22.01.2020. He is facing trial in a case in which the recovery is of 81 Kg. of ganja from a vehicle. No accused was caught from the vehicle including the petitioner. Learned counsel further submits that a co-ordinate Bench of this Court vide order dated 07.09.2021 in Cr. Misc. No. 17368 of 2020 has granted bail to a similarly situated co-accused namely, Ram Bilash Bhagat @ Ram



Krishna Kumar @ Bilash Bhagat. The report has come that the trial has started and two witnesses have been examined.

4. Learned APP appearing for the State opposes the prayer for regular bail of the petitioner.

5. Considering the fact that the petitioner was not caught on the spot, the period of custody, grant of bail to a similarly situated person and the delay in trial, this application is allowed.

6. Let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge XI, Bhagalpur in connection with N.D.P.S. Case No. 1 of 2020 arising out of Dholbajja (Kadwa O.P.) P.S. Case No. 3 of 2018, subject to the conditions that the petitioner will co-operate in the trial. He will appear regularly in the trial personally or through his Advocate. One of the bailors should be the blood relative of the petitioner.

(Sandeep Kumar, J)

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