

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.20162 of 2024**

Arising Out of PS. Case No.-159 Year-2021 Thana- GAYA RAIL P.S. District- Gaya

Samir Son Of Late Md. Abid Hussain R/O-Hathiyara, P.S.-DEVKUND,  
Distt.-AURANGABAD. Permanent Add.-H/NO. 13b, Bhagya Bihar  
Madanpur Dabas Rani Khara, West Delhi, Pin Code.-1106081

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Bachan Jee Ojha

For the Opposite Party/s : Mr.Binod Kumar

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

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

The instant application for regular bail has been  
filed by the petitioner in connection with Gaya Rail P.S. Case  
No. 159 of 2021 instituted for the offence u/s 8/20 b(II)c of  
NDPS Act.

Earlier the application for regular bail of the  
petitioner was dismissed as withdrawn by order dated  
15.05.2023 passed in Cr. Misc. No. 8842 of 2023 with an  
observation that the learned Trial Court is directed to  
expedite the trial and conclude the trial within stipulated  
period ie. 6 months, as mentioned in its report, failing which



the petitioner will be at liberty to renew his prayer for bail.

It is a case of recovery of 20 kg Ganza like narcotics substance from the possession of petitioner.

In pursuance to the direction of this Court, a report with regard to the present stage of trial has been received by which it appears that the trial may be concluded within four months as two material witnesses are yet to be examined

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Gaya Rail P.S. Case No. 159 of 2021 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 Addl. District Judge I, Gaya, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be present on each and every fixed date and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



2. if the petitioner tampers with the evidence or threatens the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. If the petitioner repeat the offences of similar nature, as alleged in the present case, the prosecution will be at liberty to move for cancellation of bail.

**(Sunil Kumar Panwar, J)**

Nirajkrs/-

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