

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25776 of 2024

Arising Out of PS. Case No.-604 Year-2022 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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Amarnath Mahto @ Tinku S/o Maheshwar Mahto R/O VILLAGE
AMBEDKAR NAGAR SIKANDARPUR PS TOWN DISTRICT
MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand

For the Opposite Party/s : Mr.Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY

ORAL ORDER

6 25-10-2024 Heard the learned counsels for the petitioner as well
as the learned APP for the State.

2. The learned counsel for the petitioner has submitted that though the earlier bail applications of the petitioner was rejected by this Court firstly vide order dated 20.03.2023 passed in Cr. Misc. No. 72897 of 2022 and secondly vide order dated 16.08.2023 passed in Cr. Misc. No. 51065 of 2023, but the fresh ground of filing the bail application is that despite the petitioner, being under custody for a period of more than two years, the investigation is still incomplete as the charge-sheet has been submitted without obtaining FSL report.

3. Learned counsel has further submitted that considering the similar situation, a coordinate Bench of this Court



has granted bail in case of *Rampravesh Diswa vs. State of Bihar* reported in *BLJ 2024 (1) 776* and *Ram Babu Yadav vs. State of Bihar* reported in *PLJR 2022 (2) 462* as the charge-sheet has been submitted without obtaining the FSL report.

4. Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Special Judge, Exclusive Special Court-1 (NDPS), Muzaffarpur in connection with NDPS Case No. 188 of 2022 arising out of Muzaffarpur Town P.S. Case No. 604 of 2022, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) **The petitioner shall remain present physically on each and every date before the court below. In case of failure on two consecutive dates, unless he is prevented by extremely adverse circumstances, the learned court below will be at liberty to cancel the bail bonds of the petitioner.**

(Nawneet Kumar Pandey, J)

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