

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32666 of 2024

Arising Out of PS. Case No.-323 Year-2020 Thana- KUDHNI District- Muzaffarpur

Prashant Gaurav Son Of Sujeet Kumar @ Sujit Kumar Resident Of Village -
Gopalpur, P.S. - Sakra, District - Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur, Advocate

For the Opposite Party/s : Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 07-05-2024 Heard Ld. counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks regular bail in connection with NDPS Case No. 43 of 2020 arising out of Kudhani (Turki O.P) P.S. Case No. 323 of 2020, dated 02.06.2020 registered for the offences punishable under Section 414 of the Indian Penal Code and Sections 8, 20 and 22 of the NDPS Act.

3. Ld. counsel for the petitioner submits that the petitioner had moved this Court earlier for regular bail *vide* Cr. Misc. No. 59847 of 2022, which was rejected *vide* order dated 28.02.2023, with an observation that if the trial is not concluded within one year, the petitioner would be at liberty to renew his prayer for bail. He further submits that since the trial has not



been concluded in the stipulated time, the petitioner, vide present application, has renewed his prayer for bail.

4. He further submits that the petitioner is languishing in jail since 03.06.2020.

5. It transpires from the order dated 13.03.2024, passed by Ld. Spl. Judge-II (NDPS Act), Muzaffarpur in NDPS Case No. 43 of 2020, the trial is not completed yet.

6. Considering the aforesaid facts and circumstances, particularly the fact that the trial has not yet been concluded, this application is allowed, directing the petitioner, abovenamed, to be enlarged on bail on his furnishing bail bond in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Spl. Judge, NDPS Court No. 2, Muzaffarpur in connection with NDPS Case No. 43 of 2020 arising out of Kudhani (Turki O.P) P.S. Case No. 323 of 2020 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/Court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court



whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, Ld. Court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding the previous bail petition is wrong, Ld. Court below shall cancel the bail bond of the petitioner.

(Jitendra Kumar, J.)

Shoaib/Ravi
Shankar

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