

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31304 of 2024

Arising Out of PS. Case No.-137 Year-2023 Thana- SONPUR RAIL P.S. District- Saran

Manish Kumar Son of Raj Kishore Chaudhary Resident of Village -
Daudnagar, Chak Gadhi, P.S. - Bidupur, Distt - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Braj Nandan Kumar Tiwary, Adv

For the Opposite Party/s : Mr.Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 13-09-2024 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

2. The petitioner is in custody in connection with
Sonpur Rail(Hajipur) P.S.Case No. 137 of 2023 for the offence
punishable under Section 8/20 (b) (ii) (B) of N.D.P.S. Act.

3. Recovery is of total 4 K.G Ganja from the
possession of the petitioner.

4. Learned counsel for the petitioner submits that
earlier the bail of the petitioner was rejected vide order dated
11.10.2023 in Cr. Misc. No. 64381 of 2023. It appears from the
report dated 19.07.2024 that charge has been framed on
23.1.2023 and two prosecution witnesses have already been
examined on 06.04.2024 and 28.05.2024 respectively. It also



appears that the prosecution is not conducting the trial properly and they are delaying the trial. The petitioner has also a right of speedy trial.

5. The petitioner is in custody since 13.07.2023.

6. Considering the quantity of recovery and the period of custody as well as the fact that the prosecution is delaying the trial, this application is allowed.

7. 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 learned Sessions Judge cum Special Judge, Saran, Chapra in connection with Sonpur Rail (Hajipur) P.S. Case No. 137 of 2023.

8. It is directed that the petitioner will co-operate in the trial and he will appear personally or shall be represented through his lawyer on each and every date of trial. He shall also mark his attendance in Bidupur Police station on every Sunday of each month.

9 . As the petitioner has claimed clean antecedent, the bail bond of the petitioner shall be accepted by the trial court after verifying his antecedent from the local police station. In case, the petitioner is found accused in any other case, his bail



bonds shall not be accepted and if he is found to have clean
antecedent, his bail bonds shall be accepted.

N.K/-

(Sandeep Kumar, J)

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