

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35093 of 2024

Arising Out of PS. Case No.-81 Year-2022 Thana- KUNDWACHAINPUR District- East
Champaran

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Laxman Sahani @ Lakshuman Sahani @ Laxami Sahani Son of Khaheru Sahani Resident of Village- Asogi, P.S.- Bairginia, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Karandeep Kumar

For the Opposite Party/s : Mr.Mukesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 09-07-2024 Heard learned counsel for the petitioner and learned
APP for the state.

2. The instance application for regular bail has been filed by the petitioner in connection with NDPS Case No. 29 of 2022 arising out of Kundwa Chainpur P.S. Case No. 81 of 2022 instituted for the offence u/s 20(b)(ii)((C), 23(C) of the NDPS Act.

3. Earlier the application for regular bail of the petitioner was rejected by this Court vide order dated 7.2.2023 in Cr. Misc. No. 58641 of 2022. Again, his prayer of bail was rejected by this Court vide order dated 13.10.2023 in Cr. Misc. No. 60573 of 2023 with a direction to trial court to conclude the trial within a period of six months.



4. It is submitted by learned counsel on behalf of the petitioner that despite the direction of this Court, the trial has not been concluded as yet. There is no hope to conclude the trial in near future. It is further submitted that the petitioner is languishing in judicial custody since 19.4.2022.

4. In pursuance to the direction of this Court, a report dt. 18.5.2024 with regard to the present stage of trial has been received by which it appears that the trial is likely to be concluded within three months.

6. Considering the facts and circumstances of the case as well as custody period of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kundwa Chainpur P.S. Case No. 81 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge/Special Judge, East Champaran at Mothari with subject to following conditions:

(i) the 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.



(ii) In case, the petitioner tempers with the evidence or threatens the witnesses, his bail bonds will be cancelled by the Court below.

(Sunil Kumar Panwar, J)

Amandeep/-

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