

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66870 of 2024

Arising Out of PS. Case No.-83 Year-2023 Thana- SACHIVALAYA District- Patna

Akash Rai Son of Ramchandra Ray Resident of village - Sakin Batukeshwar
Dutt Lane, P.S. - Jakkanpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Navnit Kumar, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 28-10-2024

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of regular bail in connection with Sachivalaya P.S Case no. 83 of 2023, registered under section 414 of the Indian Penal Code and section 21(b) of the N.D.P.S Act.

3. As per the prosecution case, 100 gms of smack besides mobile phone and motorcycle was recovered from the possession of the petitioner.

4. Learned counsel for the petitioner submits that the earlier application for bail of the petitioner was rejected vide order dated 29.2.2024 (Annexure-1) passed in Cr. Misc. no.76035 of 2023. The petitioner is in custody since 17.5.2023, has no criminal antecedent and undertakes to cooperate in the trial.

5. The prayer for bail is opposed by learned A.P.P for



the State.

6. A report was called for from the learned trial Court. As per the report received contained in letter dated 27.9.2024, one witness has been examined on behalf of the prosecution. The report further states that due to non-cooperation of the defence side, the witness had to be discharged without cross-examination.

7. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R, 100 gms of smack besides other articles having been recovered from the petitioner’s possession, the trial having commenced in the learned trial Court and the contents of the report/letter received from the learned trial Court to the effect of the petitioner’s non-cooperation in the trial wherein petitioner’s side refused to cross-examine the prosecution witness, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

Shiv/-

U		T	
---	--	---	--

