

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67439 of 2024

Arising Out of PS. Case No.-8 Year-2020 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Patna

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Amit Kumar S/o Subash Chandra Resident of village - Gurunank Pura, P.O
and P.S. - Fatehabad, District- Fatehabad Haryana

... .. Petitioner/s

Versus

The Union of India through Narcotics Control Bureau, Patna Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Manoj Kumar Singh, Advocate.
For the Union of India	:	Mr. Subodh Kumar Jha, Sr. CGC
		Mr. Pranav Kumar Jha, Advocate.

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 27-09-2024 Heard Ld. counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks regular bail in connection with
Special Case No. 127 of 2020 arising out of F.No.-
NCB/PZU/V/08/2020 registered for the offences punishable
under Sections 8(c), 20, 25, 28 and 29 of the N.D.P.S. Act, 1985.

3. By order dated 10.10.2023, prayer of the petitioner
for regular bail was rejected by a co-ordinate Bench of this
Court in Cr. Misc. No. 40223 of 2023 with an observation that if
the trial is not concluded within a period of nine months, the
petitioner would be at liberty to renew his prayer for bail.

4. Learned counsel for the Petitioner submits that the
trial is still at the stage of prosecution evidence despite passage



of more than 9 months and the petitioner is in jail for about four years since 18.09.2020.

5. Mr. Subodh Kumar Jha, learned counsel for the Union of India vehemently opposes the prayer of the petitioner for bail submitting that the allegation is very serious in nature against the petitioner as there is recovery of 589.400 kg of *ganja* like contraband substance from the truck which he was driving.

6. Considering the observations made by a co-ordinate Bench of this Court in the order dated 10.10.2023 passed in Cr. Misc No. 40223 of 223 and period of custody of the petitioner, this application is allowed, directing the petitioner, above named, 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. Exclusive Special Special Judge, NDPS-II, Patna in connection with NCB/PZU/V/08/2020 (Special NDPS Case No. 127 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)

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