

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69180 of 2024

Arising Out of PS. Case No.-60 Year-2018 Thana- SUGAULI RAIL PS District- East
Champaran

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Suraj Kumar @ Suraj Paswan Son of Kapildeo Paswan @ Kapildev Paswan
Resident of Village - Meha Mehan, Ward No. 2, P.S. - Dandari, District -
Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arbind Kumar Singh, Adv.

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 06-12-2024 Heard Mr. Arbind Kumar Singh, learned counsel

for the petitioner and Mr. Dilip Kumar No. 1, learned APP for

the State.

2. The petitioner seeks bail in a case registered for
the offence punishable under Sections 8 and 20 of N.D.P.S.
Act.

3. As per the prosecution case, 6.500 kg of *Charas*
is said to have been recovered from the possession of the
petitioner.

4. Vide order dated 18.10.2024, a report was called
for from the learned Court below regarding the stage of trial and
the time likely to be taken in conclusion of the trial. In
compliance thereof, a report dated 22.10.2024 has been sent by



the learned Exclusive Special Court No.II under NDPS Act, East Champaran, Motihari, which is kept on record. In his report, the learned Judge has, *inter alia*, stated that there are total six charge-sheet witnesses and out of those witnesses two witnesses have been examined and rest four witnesses are yet to be examined.

5. Learned counsel for the petitioner submits that no such occurrence as alleged ever took place. He submits that the petitioner has falsely been implicated due to previous enmity between father of the petitioner and the informant. The petitioner has one criminal antecedent and has been languishing in custody since 29.11.2018.

6. Learned APP for the State opposed the bail petition.

7. Considering the facts aforesaid and the fact that the petitioner is in custody for six years, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Rail Sugauli P.S. Case No. 60 of 2018, subject to the following conditions :



(i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(iii) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(iv) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(v) The petitioner will mark his attendance in the local police station in first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of his bail bond.

(Anjani Kumar Sharan, J)

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