

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80837 of 2023

Arising Out of PS. Case No.-456 Year-2020 Thana- KUDHNI District- Muzaffarpur

PAPPU KUMAR S/o Prem Chandra Paswan R/o village- Barkurba, P.S.-
Kurhani@Kudhani, District- Muzaffarpur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harshit Griyaghey

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 02-02-2024 1. Heard the learned counsel for the petitioner and the learned APP for the State.
2. The present petition is by way of fourth attempt at the behest of the petitioner for grant of regular bail in connection with Kudhani PS case no. 456 of 2020, registered under Sections 8, 20, 22 of N.D.P.S. Act, inasmuch as earlier, the prayers of the petitioner for grant of bail were rejected by this Court vide orders dated 08.12.2021, 13.07.2022 and 15.03.2023, passed in Cr. Misc. no. 30471 of 2021, Cr. Misc. no. 35638 of 2022 and Cr. Misc. no. 7647 of 2023 respectively.
3. The allegation against the petitioner, as per FIR, is that 1 kg of charas has been recovered from possession of the petitioner.
4. While rejecting bail application of the petitioner for



the third time in Cr. Misc. no. 7647 of 2023 on 15.03.2023, this Court, while taken note of the report submitted by learned trial court that trial would likely to be concluded within six months, rejected the bail application of the petitioner with liberty to the petitioner to renew his prayer for bail after six months if the trial does not progress satisfactorily, hence the present application for bail has been filed by the petitioner after six months.

5. This Court, vide order dated 15.12.2023, had called for a report, in pursuance whereof, learned trial court has submitted the same. From perusal of the report, it appears that trial has not progressed and no prosecution witness has been produced and examined by the prosecution. The trial court has again given estimated time of six months to conclude the trial. The petitioner is in custody since 23.07.2020.

6. Having heard learned counsel for the parties and taking into consideration the fact that the petitioner is in custody for more than 03 years i.e. since 23.07.2020, there is slow progress in the trial and no prosecution witness has been examined till date, I am inclined to grant privilege of bail to the petitioner.

7. Accordingly, the abovenamed petitioner is directed to be released on regular bail on furnishing bail bond



of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of 2nd Additional Sessions Judge, Muzaffarpur, Bihar in connection with Kudhani PS case no. 456 of 2020. It is further directed that the petitioner shall appear before the learned trial court on each and every date so fixed by the trial and in default of two consecutive appearances, the present privilege of regular bail shall stand cancelled automatically.

(Anil Kumar Sinha, J)

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