

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76636 of 2024

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

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Manoj Rai S/o- Muneshwar Rai Village- Kutubpur PS-Bidupur District-
Vaishali

... .. Petitioner/s

Versus

The Union of India through the Intelligence Officer, Narcotics Control
Bureau, Patna Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar, Advocate Mr. Santosh Kumar Pandey, Advocate Mr. Kedar Singh, Advocate
For the U.O.I.	:	Mr. Awadhesh Kr. Pandey, Sr. C.G.C. Mr. Arvind Kumar, C.G.C. Mr. Lokesh Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 25-10-2024 Heard learned counsel for the petitioner and learned
counsel for the Union of India.

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

3. Ld. counsel for the petitioner submits that prior to
the present petition, the petitioner had moved this Court for
regular bail vide Cr. Misc. No. 57296 of 2021, whereby his
petition was dismissed with an observation that if the trial is not



concluded within a period of 9 months, the petitioner would be at liberty to renew his prayer for bail. He further submits that the trial has not concluded within the stipulated time as the same is still at the stage of prosecution evidence. Hence, the Petitioner, vide present application, has renewed his prayer for bail. He further submits that the petitioner is in jail since 01.09.2020.

4. However, 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.

5. Considering the aforesaid facts and circumstances, particularly the fact that the trial has not yet been concluded, 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 Court, 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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