

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1163 of 2024

Arising Out of PS. Case No.-621 Year-2022 Thana- BHABHUA District- Kaimur (Bhabua)

Kisan Patel @ Kisan, S/o Late Madan Singh, R/o Village- Akhlaapur, Ward
No.11, P.S- Bhabua, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 16-02-2024

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of regular bail in connection with N.D.P.S. Case no.40 of 2022, arising out of Bhabua P.S. Case no.621 of 2022 registered under sections 8(c), 21(b), 27(a) of the N.D.P.S Act.

3. As per the prosecution case, on search being conducted, 6.280 gms of smack (heroine) was recovered from the possession of the petitioner.

4. It is submitted by learned counsel for the petitioner that the earlier prayer for bail of the petitioner was rejected vide order dated 18.5.2023 passed in Cr. Misc. no.24533 of 2023 giving liberty to the petitioner to renew his prayer for bail after six months or after framing of charge, whichever is later. Referring to the supplementary affidavit filed on behalf of the



petitioner it is submitted that charge has been framed against the petitioner on 5.2.2024. The petitioner is in custody since 25.9.2022 and undertakes to cooperate in the trial.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation, liberty granted to the petitioner by the aforesaid order of rejection dated 18.5.2023, charge having been framed in the case together with the petitioner having remained in custody for about 1 year 5 months since 25.9.2022, the petitioner is directed to be enlarged on bail in connection with N.D.P.S Case no. 40 of 2022 (arising out of Bhabua P.S. Case no.621 of 2022) on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-III, Kaimur at Bhabua.

(Partha Sarthy, J)

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