

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8348 of 2024

Arising Out of PS. Case No.-37 Year-2023 Thana- SASARAM RAIL P.S. District- Gaya

Sanjay Prasad Son Of Hira Lal Sah Resident Of Natwar Road Near Registry
Office, Bikramganj, Ward No. 18, P.S.- Bikramganj, District-Rohtas, Bihar
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Singh, Advocate
For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 16-02-2024 1. Heard learned counsel for the Petitioner and
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Sasaram Rail P.S. Case No. 37 of 2023, dated 27.02.2023
registered for the offences punishable under Sections 8 and
20(b)(ii)(c) of the NDPS Act.

3. The main submissions advanced by learned
counsel for the petitioner are that the petitioner earlier
approached to this Court for the relief of regular bail which was
rejected by this Court vide order dated 28.07.2023 passed in Cr.
Misc. No. 45570 of 2023 with giving a liberty to the petitioner
to renew his bail prayer after the framing of charges upon him
and in the light of the said liberty he has again come for the
same relief as his trial has started and charges have been framed
upon him. Further submissions are that the petitioner has been



languishing in jail since 27.03.2023 having fair and clean antecedent and the instant matter relates to the recovery of intermediate quantity of Narcotic material suspected to be ‘*Ganja*’ and most of the witnesses who are to be examined in the trial of the petitioner are official persons.

4. Learned APP appearing for the State has opposed the prayer for bail of the petitioner.

5. Considering the above submissions and petitioner’s custody period and also, the fact, that his trial has started and he has been languishing in jail since 27.03.2023 having fair and clean antecedent and as per the above submission, most of the witnesses who are to be examined in the trial of the petitioner are official persons and the instant matter relates to the recovery of intermediate quantity of narcotic material, in my opinion, in the said circumstances, the petitioner now deserves to the privilege of bail. Accordingly, let the petitioner named-above be enlarged on bail on furnishing of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Sasaram Rail P.S. Case No. 37 of 2023.

(Shailendra Singh, J)

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