

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 87474 of 2024

Arising Out of PS. Case No.-29 Year-2021 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Bhojpur

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Madan Singh Saundhiya @ Madan Singh S/o Late Raghu Singh R/o vill -
Roujya, House No. 28, ward no. 10, P.S.- Garotha, Distt.- Mandsaur (M.P.)

... .. Petitioner

Versus

1. The Union of India through the Intelligence Officer, Narcotics Control Bureau, Patna Zonal Unit Patna
2. The State of Bihar

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Shantam Shivam, Advocate
		Mr. Avinash Raj, Advocate
For the UOI	:	Ms. Shail Kumari, C.G.C.

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 20-12-2024 Heard Ld. counsel for the Petitioner and Ld. APP for
the State.

2. The petitioner seeks regular bail in connection with
NDPS Case No. 57 of 2022 arising out of NCB Case No. 29 of
2021 dated 30.11.2021, registered for the offences punishable
under Section 8(c) read with 21(c), 22(c) and 29 of the N.D.P.S
Act.

3. As per allegation, 270 gram Morphen, 315 gram
Aprazolam and 500 gram stone were recovered from the accused
persons.

4. Ld. counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this case.



He further submits that earlier the Petitioner had moved this Court vide Cr.Misc No.65327 of 2023 wherein this Court had rejected the prayer of the Petitioner for bail vide order dated 10.05.2024. However, it was observed by this Court in the said order that in case the trial is not concluded within six months, the petitioner would be at liberty to renew his prayer for bail. He further submits the petitioner is languishing in jail since 30.11.2021 i.e., for more than three years and trial has not yet concluded. Hence, the Petitioner is entitled to enlargement on bail.

5. It has also been stated in paragraph no. 3 that the petitioner has no criminal antecedents.

6. However, the prayer of the Petitioner is being opposed by Ld. Counsel for the NCB/UOI submitting that the allegation against the Petitioner is serious in nature.

7. Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. District and Sessions Judge, Bhojpur at Ara in connection with N.D.P.S Case No. 57 of 2022 arising out of N.C.B Case No. 29 of 2021 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 get hampered 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 antecedents, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

Chandan/
Ravishankar-

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