

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2680 of 2024

Arising Out of PS. Case No.-117 Year-2022 Thana- PUNAURA District- Sitamarhi

Alok Ranjan Son Of Jaleshwar Prasad Resident Of Village - Raghapur
Bakhri, Ward No.3, P.S. - Punaura, District - Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa, Advocate
For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 01-03-2024 Heard Mr. Ashhar Mustafa, learned counsel for the

petitioner and Mr. Syed Mojibur Rahman, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
29.05.2022 in connection with NDPS Case Registration No. 24
of 2022, Tr. No. 87 of 2022 arising out of Punaura P.S. Case No.
117 of 2022, F.I.R. dated 26.05.2022 for the offences punishable
under Sections 414, 420, 467 and 468 of the Indian Penal Code
and Section 8C, 20(b)(ii)(c), 27(a), 29 and 22(c) of the NDPS
Act.

3. Earlier the bail application of the petitioner has
been rejected by this Hon'ble Court vide order dated 16.05.2023
passed in Cr. Misc. No. 68851 of 2022. Thereafter, the petitioner
has again moved before this Court in Cr. Misc. No. 64757 of



2023 which was dismissed as withdrawn with the liberty to the petitioner to move a fresh bail application in the Court below vide order dated 06.10.2023.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case merely on the basis of suspicion. He further submits that from perusal of the F.I.R it appears that the recovery has been made from the house of the co-accused, namely, Subodh Kumar Srivastava and the petitioner was sitting with the other accused persons who were apprehended. He further submits that on the last occasion the bail application of the petitioner was rejected on the ground that the bail application of the co-accused, namely, Prem Ranjan Singh was also rejected by the Hon'ble Court vide order dated 30.01.2023 passed in Cr. Misc. No. 42828 of 2022 but now co-accused, namely, Pram Ranjan Singh has been granted bail by a Co-ordinate Bench of this Hon'ble Court vide order dated 25.08.2023 passed in Cr. Misc. No. 56651 of 2023.

5. Vide order dated 19.01.2024 a report was called with regard to the present stage of the trial. Report of the learned Trial Court dated 05.02.2024 reveals that after framing of charge no witnesses have been examined as yet.



6. Learned counsel for the petitioner submits that in view of the report of the learned Trial Court the trial is not likely to be concluded in the near future and the petitioner is in custody since 28.05.2022. He further submits that the co-accused has been granted bail by a Co-ordinate Bench of this Hon'ble Court.

7. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

8. Considering the aforesaid facts and circumstances as well as the report of the learned Trial Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge NDPS Act-cum-2nd Additional Sessions Judge, Sitamarhi in connection with NDPS Case Registration No. 24 of 2022, Tr. No. 87 of 2022 arising out of Punaura P.S. Case No. 117 of 2022, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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