

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41390 of 2025

Arising Out of PS. Case No.-218 Year-2022 Thana- KUTUMBA District- Aurangabad

Satrudhan Kumar Singh @ Satrudhan Singh @ Satrudhan Kumar @
Satrugan Kumar S/O Ram Nandan Singh @ Ramanand Singh Resident of
Village- Barheta, P.S- Kutumba, Distt.- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Economic Offence Unit, Bihar, Patna. Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bindhyachal Singh, Sr. Advocate Ms. Nikita Mittal, Advocate Mr. Vipin Kumar, Advocate
For the State	:	Mr. Sanjay Kumar Tiwary, APP
For the EOU	:	Mr. Rana Vikram Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 01-08-2025 Heard Mr. Bindhyachal Singh, learned counsel for the petitioner, Mr. Rana Vikram Singh, learned counsel for the EOU and Mr. Sanjay Kumar Tiwary, learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 12.09.2022 in connection with Kutumba P.S. Case No. 218 of 2022, F.I.R. dated 13.09.2022 for the offences punishable under Section 08/ 20(b)(ii)(c)/ 25/ 29 of the NDPS Act.

3. According to prosecution case, altogether 58 kg of Ganja was recovered from two vehicles.

4. Learned senior counsel for the petitioner submits that earlier, the petitioner has moved before this court for grant of regular bail in Cr. Misc. No. 8689 of 2023 and Cr. Misc. No.



54708 of 2024, but both applications were rejected by this Court vide order dated 01.12.2023 and 13.09.2024 respectively.

5. Learned senior counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present. He further submits that the trial has not been concluded as yet and similarly situated, co-accused, namely, Md. Akhtar @ Akhtar Hussain @ Md. Akhtar Hussain, who was apprehended along with the petitioner, has been granted privilege of regular bail by this Court vide order dated 11.07.2025 passed in Cr. Misc. No. 86796 of 2024 and another co-accused, namely, Nitish Kumar has been granted privilege of regular bail by a co-ordinate Bench of this Hon'ble Court vide order dated 26.07.2023 passed in Cr. Misc. No. 30128 of 2023. It is further submitted the case of the petitioner lies on similar footing as case of Md. Akhtar @ Akhtar Hussain @ Md. Akhtar Hussain. The petitioner is in custody since 12.09.2022.

6. Vide order dated 04.07.2025, a report was called for with regard to the present stage of trial. Report of the learned Trial Court dated 26.07.2025 reveals that out of nine charge-sheet witnesses, 7 witnesses have been examined and the case is pending for the examination of two prosecution witnesses.

7. Learned senior counsel for the petitioner, considering the aforesaid report submits that in view of the report of the



learned Trial Court, trial has not been concluded as yet and the petitioner is in custody since 12.09.2022 i.e. for almost three years and similarly situated co-accused persons have been granted privilege of regular bail by this Court and co-ordinate Bench of this Court.

8. The learned counsel for the EOU has vehemently opposed the prayer for bail of the petitioner and submits that it appears from the report of the learned Trial Court that trial is going on and now out of nine charge-sheet witnesses, 7 witnesses have been examined but fairly submits that co-accused persons have been granted privilege of regular bail by this Court and a co-ordinate Bench of this Hon'ble Court.

9. Considering the aforesaid facts and circumstances, the petitioner has clean antecedent and co-accused persons have been granted privilege of regular bail by this Court and a co-ordinate Bench of this Hon'ble Court and period of custody, 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 A.D.J.-1st-cum-Special Judge, Aurangabad in connection with Kutumba P.S. Case No. 218 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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