

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48111 of 2025

Arising Out of PS. Case No.-390 Year-2009 Thana- PIRBAHOR District- Patna

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Raja Kumar @ Raj Kumar @ Raja S/o Late Harichandra Prasad @ Harish
Chandra Prasad R/o Vill.-Khemnichak, Mangal Chowk, P.S.-
Ramkrishnanagar, District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nityanand Kumar

For the Opposite Party/s : Mr. Mohammed Arif

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 15-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Pirbahor P.S. Case No. 390 of 2025, (Spl. Case No. 62/2009) for the offence punishable under Sections 22(b)(c) of the N.D.P.S. Act.

3. This is a case of misuse of privilege of bail. The petitioner was earlier granted bail vide order dated 17.03.2011 passed in Cr. Miscellaneous No. 3623 of 2011. The bail bonds of the petitioner was cancelled on 23.10.2013

4. Learned counsel for the petitioner submits that the petitioner is a poor person and went to Punjab for earning his livelihood and due to non-pairvi, his bail bond was cancelled by



the learned trial court. Now the petitioner undertakes to appear in each and every date if he is granted bail. The petitioner is in custody since 25.02.2025. The trial is at the stage of recording prosecution evidence.

5. Learned APP has opposed the submission made on behalf of the petitioner and submits that due to conduct of the petitioner, the trial could not be concluded in time.

6. Having regard to the facts and circumstances of the case, period of custody of the petitioner and also considering the fact that it is an old case, the petitioner is directed to 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 learned Special Judge, N.D.P.S. Act- 1st , Patna, in connection with Pirbahor P.S. Case No. 390 of 2009, (Spl. Case No. 62 of 2009), subject to the conditions mentioned in Section 480 (3) of the B.N.S.S. and other following conditions :

(i) The petitioner will remain present on each and every date fixed by the court below, if so required by the court below.

(ii) The learned trial court is directed to take expeditious step for disposal of the Session Trial arising out of Pirbahore P.S. Case No. 390 of 2009.



(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

7. The Senior Superintendent of Police, Patna is directed to ensure the presence of the witnesses on the date fixed by the learned trial court.

8. A copy of this order be sent to the Senior Superintendent of Police, Patna through FAX/Email. In case, if the witnesses are not produced, the Senior Superintendent of Police, Patna will appear in person before this Court to explain his conduct.

(Arun Kumar Jha, J)

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