

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62692 of 2024

Arising Out of PS. Case No.-606 Year-2021 Thana- SHASTRINAGAR District- Patna

Md. Ashif Imam S/o- Mohammad Israil Village Po- Bhadasi Ps- Arwal Dist-
Arwal, P/A- Samanpura Raja Bazar Ps- Shastrinagar, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anshul, Sr. Advocate Mr. Anshul Aaryan, Advocate Mr. Aditya Singh, Advocate
For the Opposite Party/s :		Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 15-01-2025 Heard the learned senior counsel for the petitioner, Sri
Anshul and the learned counsel for the State.

2. This is the 2nd attempt of the petitioner. Earlier the
bail application of the petitioner was rejected vide order dated
21.07.2024 passed in Cr. Misc. No. 39338 of 2023.

3. The petitioner seeks regular bail in a case registered
for the offence under Sections 8/20 (b)(ii)(c) of the NDPS Act.

4. As per the prosecution case, 1.400 KGs of *Hashish*
was recovered from the possession of the petitioner which falls
under the commercial quantity.

5. Learned senior counsel for the petitioner has very
fairly submitted that out of six charge-sheeted witnesses, only
two witnesses have been examined till date though the petitioner



is in custody since 05.12.2021 i.e. more than three years.
Petitioner has clean antecedent.

6. The learned APP for the State has vehemently opposed the prayer for bail.

7. Considering the fact that the petitioner has right of speedy trial and also considering the delay in the trial, this application is allowed.

8. Accordingly, 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 Court of Exclusive, Special Court (NDPS) No. 02, Patna/concerned Court below in connection with Shastri Nagar P.S. Case No. 606 of 2021 subject to the following conditions:-

(i). The petitioner will mark his attendance at the Shastri Nagar Police Station on every Sunday of each month. Any default in appearance at the Police Station would result in cancellation of bail bond of the petitioner.

(ii). The petitioner shall appear in the trial personally on each and every date fixed by the Court and shall cooperate in the trial. Any default in the same would result in cancellation of the bail bond of the petitioner.

(iii). Before accepting the bail-bond of the petitioner, the court below will verify the



antecedent of the petitioner. If the petitioner is found having clean antecedent, the bail-bond of the petitioner shall be accepted. If the petitioner is found having criminal antecedent(s), his bail-bond shall not be accepted by the court below.

(Sandeep Kumar, J)

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