

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30216 of 2026**

Arising Out of PS. Case No.-32 Year-2005 Thana- INARWA District- West Champaran

1. Manju Devi Wife of Sitaram Chauhan Resident of Village - Guraini, Ps- Saidabad, Dist- Gagipur UP
2. Ramdarash Chauhan son of Sangram Chouhan Resident of Village - Guraini, Ps- Saidabad, Dist- Gagipur UP

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Singh, Advocate

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER**

2 11-05-2026 Heard learned counsel for the petitioners and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with NDPS CIS No. 27 of 2025, arising out of Inarwa P.S. Case No. 32 of 2005 registered for the alleged offences under Sections 20 & 22 of NDPS Act.

03. This is a case of misuse of privilege of bail as the petitioners have been granted bail vide order dated 31.05.2006. Thereafter, their bail bonds were cancelled on 23.02.2008 due to their absence and lack of pairvi. Thereafter, their trial was



separated vide order dated 27.10.2009. The petitioners surrendered on 28.01.2026 before the learned trial court.

04. Learned counsel for the petitioners submits that the petitioners are illiterate persons and were not having knowledge of law and under misconception misused the privilege of bail. They belong to poor family and there has been communication gap between their Advocate and the petitioners. Learned counsel further submits that there was no service of summons upon the petitioners. Co-accused Sheogaj Prasad has been granted bail by the learned trial court though there was allegation of misuse of privilege of bail.

05. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that the bail bond of co-accused Sheogaj Prasad has been cancelled on 18.02.2022 and the petitioners have misused the privilege of bail for almost 18 years.

06. Since it is an old case and the trial got hampered due to the absence of the petitioners, I am not inclined to grant bail to the petitioners at this stage and hence, their prayer for bail is rejected.

07. The learned trial court is directed to take



expeditious steps for disposal of the case considering the fact
that it is a case of the year, 2005.

(Arun Kumar Jha, J)

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