

(2024) 12 JH CK 0016

Jharkhand High Court

Case No: Bail Application No. 10456 Of 2024

Anuj @ Anuj Kumar

APPELLANT

Vs

State Of Jharkhand

RESPONDENT

Date of Decision: Dec. 13, 2024

Acts Referred:

- Narcotic Drugs and Psychotropic Substances Act, 1985 - Section 8(c), 20(b)(ii)(c), 25, 29

Hon'ble Judges: Pradeep Kumar Srivastava, J

Bench: Single Bench

Advocate: Nilesh Kumar, Anil Kumar, Chandana Kumari, Kumar Swapnil

Final Decision: Dismissed

Judgement

Pradeep Kumar Srivastava, J

1. Heard, learned counsel for the parties.

2. The petitioner has been made accused in connection with N.D.P.S. Case No. 41 of 2021 arising out of N.C.B. Crime No. 9/NCB/Ranchi/2021

instituted under Sections 8(c) read with 20(b)(ii)(c), 25 and 29 of the N.D.P.S. Act, 1985.

3. Learned counsel for the petitioner submits that earlier the bail applications of the petitioner were rejected vide order dated 08.09.2022 in B.A. No.

4555 of 2022 and vide order dated 02.02.2024 in B.A. No. 4414 of 2023. Petitioner is in custody since 07.08.2021 i.e. about 03 years and 04 months

and after framing of charge, only two witnesses have been examined by the prosecution. Trial is going on in a very slow motion, although petitioner is

in custody. It is further submitted that petitioner is the cleaner of the vehicle, on which, 114 Kg. of Ganga was recovered. Petitioner has no criminal

background. Petitioner undertakes to co-operate in trial of the case and he will remain physically present on each and every date fixed by the trial court and also abide by all terms and conditions which may be imposed in the matter of granting bail to the petitioner. Hence, the petitioner may be extended the privilege of bail.

4. Learned counsel appearing for the NCB opposes the prayer for bail of the petitioner and has submitted that petitioner is involved in a heinous offence and twice his bail has been rejected by this Court. Trial is going on and will conclude very soon.

5. Considering the facts and circumstances of this case, the nature of allegation against petitioner coupled with materials available on record and period of custody of the petitioner, I am inclined to release the above-named petitioner, on bail. Accordingly, the petitioner named above, is directed to be released on bail on furnishing bail bond of Rs.20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned A.J.C.-XX, Ranchi, in connection with N.D.P.S. Case No. 41 of 2021 arising out of N.C.B. Crime No. 9/NCB/Ranchi/2021, subject to the conditions:

- (i) Petitioner shall remain physically present on each and every date till the conclusion of the trial of this case unless prevented from sufficient cause to the satisfaction of the learned Trial Court.
- (ii) Petitioner shall not indulge in any or other similar offence till the conclusion of the trial.
- (iii) Petitioner shall not indulge in tampering with the prosecution evidences or influencing the prosecution witnesses.

In case of violation of the aforesaid conditions, the bail of the petitioner shall be cancelled and shall be taken into custody by the learned Trial Court.