

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49348 of 2016

Arising Out of PS.Case No. -130 Year- 2016 Thana -BEN District- NALANDA (BIHARSHARIFF)

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Rameshwar Prasad Son of Late Faujdari Prasad, Resident of
Village/Mohalla-Dabai Bigha, P.S.- Ben, District- Nalanda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar

For the Opposite Party/s : Mr. Ramchandra Singh

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 22-12-2016 Heard Sri Pramod Kumar, learned counsel for the

petitioner and Sri Ramchandra Singh, learned Addl. Public

Prosecutor.

The petitioner, who is in custody since 26-09-2016 in
Ben P.S. Case No. 130 of 2016 registered for offence under
Sections 8/20(b)(ii)(A) of the Narcotic Drugs & Psychotropic
Substances Act, 1985, has prayed for grant of bail.

Learned counsel for the petitioner, at the very outset,
submits that petitioner is having clean antecedent and this fact has
been stated in paragraph – 3 of the petition. He submits that
petitioner has falsely been implicated on an allegation of recovery
of substance like *Ganja* weighing about 120 gm., that too from the
shop of the petitioner. He submits that even if it is accepted that



the recovered article is *Ganja*, the weight of the same is 120 gm., which is much lesser than the smaller quantity.

Keeping in view the nature of accusation, period of custody as well as the clean antecedent of the petitioner, there is no reason to further detain the petitioner.

Accordingly, let the petitioner namely Rameshwar Prasad be enlarged 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 Sessions Judge, Nalanda at Bihar Sharif in connection with Ben P.S. Case No. 130 of 2016.

(Rakesh Kumar, J.)

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