

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.2684 of 2018**

Arising Out of PS. Case No.-293 Year-2017 Thana- ARA NAGAR District- Bhojpur

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Ashish Paswan, Son of Late Pradeep Paswan, Resident of Village- Gaush Ganj, P.S.- Arrah Towan, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Krishna Chandra

For the Opposite Party/s : Mr. Ram Naresh Roy, APP

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**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL ORDER**

3      09-02-2018                      Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner, who is in custody, seeks bail in connection with N.D.P.S. Case No. 17 of 2017 arising out of Ara Town P.S. Case No. 293 of 2017 registered for the offence punishable under Section 21(b) of Narcotics Drugs & Psychotropic Substance Act.

A secret information was received by the S.H.O. that in order to sell the Heroin Ashish Paswan is sitting at his house alongwith Ranjay Paswan. After receiving information the SHO alongwith raiding party proceeded towards the place of occurrence and as soon as they reached near the house of Ashish Paswan then two persons fled away from the place of



occurrence. Thereafter the team went to the house of Ashish Paswan where several persons were also assembled but all persons refused to become a witness. Thereafter during the course of search 13 gram 650 milligram Heroin was recovered from the house of Ashish Paswan and thereafter seizure list was prepared.

Learned counsel for the petitioner submitted that he is innocent and has been falsely implicated in this case. It has been further submitted that the alleged recovery was made in the absence of the petitioner which creates doubt in prosecution case and also submitted that alleged recovery of Heroin is much less than the commercial quantity of 250 gram. It has been further submitted that co-accused namely, Ranjay Paswan has already been granted bail by this Hon'ble Court vide order dated 30.10.2017 passed in Criminal Miscellaneous No. 38756 of 2017. and petitioner is in custody since 29.06.2017.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of



learned Sessions Judge, Bhojpur, Ara, in connection with  
N.D.P.S. Case No. 17 of 2017 arising out of Ara Town P.S. Case  
No. 293 of 2017.

**(S. Kumar, J)**

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