

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28940 of 2018

Arising Out of PS.Case No. -8 Year- 2018 Thana -RAJPUR District-
EASTCHAMPARAN(MOTIHARI)

=====

Ram Yodhi Rai S/o Late Dhaneshwar Rai @ Dhanesh Rai, R/o Vill.-
Kadmwa, P.S.- Rajepur, Distt.- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anish Kumar

For the Opposite Party/s : Mr. Ram Bilash Roy Raman

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

4 24-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 20, 22 and 23 of N.D.P.S. Act.

8 Kg of ganja is said to have been recovered from
the possession of the petitioner.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from the
conscious physical possession of the petitioner. He has no concern
with the seized contraband. Aforesaid contraband was not
recovered from his possession rather from the road located in front
of the house of the petitioner as evident from the seizure list.



Seizure list does not contain recovery of the aforesaid contraband from the possession of the petitioner. He has been falsely implicated in the case by the police while he was standing near his house and real culprit managed to escape dumping the bag containing aforesaid contraband on the road seeing the police party. Police forcibly obtained his signature on the seizure list. Petitioner has no criminal antecedent. He has been languishing in custody since 8.01.2018.

Considering the facts aforesaid, the above named petitioner is directed to 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 the Learned Sessions Judge/ Special Judge, East Champaran, Motihari in connection with Rajepur P.S. Case No. 08 of 2018 corresponding to G.R. No. 112 of 2018.

(Prakash Chandra Jaiswal, J)

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