

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69708 of 2018

Arising Out of PS. Case No.-235 Year-2018 Thana- Jogbani District- Araria

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Ram Niwas Sah @ Mahakal, S/o Lal Chand Sah, Resident of village-
Tikuliya Basti, P.S.-Jogbani, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Sri Mukesh Kumar Rana
For the Opposite Party/s : Dr. Indihar Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 30-11-2018 Heard Sri Mukesh Kumar Rana, learned counsel for

the petitioner and Dr. Indihar Kumari, learned Additional

Public Prosecutor.

The sole petitioner, who is in custody only since
15.09.2018 has prayed for grant of bail in connection with
Special Case No. 22 of 2018 corresponding to Jogbani P.S.
Case No. 235 of 2018 registered for the offence under Section
21 (C) / 22 of the Narcotic Drugs And Psychotropic Substances
Act, 1985 [hereinafter referred to as the “N.D.P.S. Act”] and
Section 27 (ii) / 28 read with Section 36 of the Drugs &
Cosmetics Act.

It was submitted by learned counsel for the petitioner
that petitioner has been arrayed as accused only on the basis of
confessional statement of Mantu Singh i.e. one of the co-



-accused. He submits that except confession there is no other material, however learned Additional Public Prosecutor submits that Mantu Singh, one of the F.I.R. named accused has made disclosure that this petitioner and one another accused had persuaded him to come for commission of such crime. Besides this he has also drawn my attention to the statement made in paragraph 3 of the petition to show that besides the present case petitioner was earlier made accused in two cases and one case is in relation to offence under the N.D.P.S. Act.

Considering the nature of accusation as well as antecedent of the petitioner there is no reason to pass favourable order.

The prayer for grant of bail stands dismissed.

(Rakesh Kumar, J)

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