

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12609 of 2019

Arising Out of PS. Case No.-33 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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PINTU SAH Son of Late Chandrama Sah. Resident of Village- Dumaria Tola,
Nepali Station, Ward No. 3, P.S.- Raxaul, District- East Champaran (Bihar).

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. The Union of India through Dhiraj Kumar-I.O., Intelligence Officer,
Narcotics Control Bureau, Patna Zonal Unit, Karpoori Thakur Sadan, CGO,
“D & E” Block, Ashiyana-Digha Road, Patna-25.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shri Prakash Tiwari
For the Opposite Party/s : Mr.Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

6 19-06-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 8 and 20 of the N.D.P.S.
Act.

From the possession of this petitioner, 7.5
kilograms of *Charas* was recovered, which the petitioner was
carrying in a bag. Petitioner made disclosure statement before
the Narcotics Authorities, wherein he stated that he was carrying
the bag of *Ranjeet Das*. However, he was not aware that *Charas*
was in the bag.

In spite of disclosure of the petitioner that the real



owner of the bag is *Ranjeet Das*, the Authorities did not make any investigation to ascertain the genuineness of the claim of the petitioner, nor *Ranjeet Das* was made accused in the case, in spite of disclosure of his identity and business place by the petitioner.

Hence, the conduct of the Narcotics Authority to save real culprit requires to be inquired into considering the fact that in his confession before the Authority, the petitioner is specific that he had no knowledge as to what was in the bag and the petitioner clearly stated that he was a poor person and simply a carrier of *Ranjeet Das*.

Considering the nature of material and completion of investigation, let the petitioner, above named, 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 court below where the case is pending in connection with N.D.P.S. Case No.40 of 2018, arising out of Case No.NCB/PZU/V/33/2018, subject to condition that both the bailors shall be resident of within the territorial jurisdiction of the learned court below and the petitioner shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the



petitioner.

Let a copy of this order be communicated to the
Director, Narcotics Control Bureau, Patna Zonal Unit, Karpoori
Thakur Sadan, CGO, “D & E” Block, Ashiyana-Digha Road,
Patna-25, for necessary action in this matter.

(Birendra Kumar, J)

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