

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61761 of 2019

Arising Out of PS. Case No.-95 Year-2019 Thana- JOGBANI District- Araria

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MOHAN RAY @ MOHAN KUMAR RAY S/o Binod Kumar Ray @ Vinod
Ray R/o village- Kushmaha, Mor Tola, P.S.- Jogbani, District- Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India through the SSB, 56 Bn., Bathnaha, Kushmaha, Jogbani,
District- Araria Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar
For the Opposite Party/s : Mr.Ram Anurag Singh

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 14-10-2019 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Special Case No.10 of 2019, arising out of Jogbani P.S.
Case No.95 of 2019, registered under Sections 20, 22, 23 and 24
of the Narcotic Drugs and Psychotropic Substance Act.

The accusation is that on receiving information about
carrying of Ganja from Nepal, the informant along with other
police personnel started checking for the same. In that course,
two persons were seen on a motorcycle. While the person, who
was sitting on the backside of the motorcycle, succeeded to flee
away but the person, who was driving the motorcycle, was



apprehended. On query, the apprehended person disclosed his name as Ram Balak Ray and, on search of his body, three packets, each containing one kilogram Ganja, were recovered and he also disclosed that this petitioner had given three packets of Ganja to carry the same from Nepal on payment of remuneration of Rs.500/-. At that time, Nitish Kumar Yadav was also present with the petitioner.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that the petitioner was not apprehended on the spot nor the seized motorcycle is belonging to the petitioner. The name of the petitioner has come in the confessional statement of the apprehended accused Ram Balak Ray from whose possession the recovery of alleged Ganja was made. While the petitioner is accused in one more case, as detailed in paragraph-3 to this application, but in that case, he is on bail.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the In-Charge Special Judge



(N.D.P.S.), Araria, in connection with Special Case No.10 of 2019, arising out of Jogbani P.S. Case No.95 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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