

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26603 of 2021

Arising Out of PS. Case No.-222 Year-2020 Thana- CHAINPUR District- Kaimur (Bhabua)

DUKHANTI SAH @ RAMPATI GUPTA S/o Late Guput Sah Resident of
Ward No. 2, P.S.- Bhabhua, District- Kaimur at Bhabhua

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishore Prasad, Adv.
For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 08-12-2021 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 8, 20(b)(ii)(c) and 27(A) of the N.D.P.S. Act.

As per the prosecution case, 6 bags of ganja weighing about 2 quintals 8 kgs were recovered from the car.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. No incriminating article has been recovered from possession of the petitioner. Further referring to the order of the learned court below, learned counsel for the petitioner submits that the owner of the car namely Tabrej Khan was arrested and on enquiry, he disclosed the name of one co-accused namely Vikash Kumar. The said Vikash Kumar has been enlarged on bail vide order



dated 23.11.2021 passed in Cr. Misc. no.24996 of 2021. The said Vikash Kumar disclosed the name of Shakil Khan and Tabrej Khan and also the name of the petitioner. It is alleged that a total recovery of 382 gms of ganja is being shown to have been recovered from the house of the petitioner. The said allegation is absolutely false and concocted. The petitioner is in custody since 12.10.2020 and chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioner having remained in custody for over 1 year, the Court directs the petitioner to be enlarged on bail in connection with Chainpur P.S. Case no.222 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge, Kaimur at Bhabhua.

(Partha Sarthy, J)

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