

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17368 of 2020

Arising Out of PS. Case No.-3 Year-2018 Thana- DHOLBAJJA District- Bhagalpur

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RAM BILASH BHAGAT @ RAM KRISHNA KUMAR @ BILASH
BHAGAT Son of Late Gholat Mandal Resident of Village- Chandra Suri,
P.S.- Chousa, District- Madhepura, Bihar. Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Thakur, Advocate
For the Opposite Party/s : Mr. Dinesh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

18 07-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 20 and 22 of the NDPS Act.

As per the prosecution case, on receiving information about illegal transport of ganja by two accused persons including Rambilash Bhagat, it is stated that the vehicle in question was chased, however the driver and the occupants managed to escape abandoning the vehicle. On search a total of 81 kgs of ganja was recovered.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. Although he is Ramkrishna Kumar and resident of the same village as the FIR named accused, he has been falsely implicated in the case showing him to be Rambilash Bhagat. It



is submitted that he was neither arrested at the spot and further in course of investigation it has transpired that the Tata Sumo Victa vehicle bearing registration no. BR NH6010 belongs to one Prayag Info Tech High Rise Ltd of Bhagalpur. The petitioner has no concern either with the vehicle in question nor with the seized article. He is in custody since 1.10.2019 and has no criminal antecedent.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner together with the report received from the learned Court below from which it transpires that no witness on behalf of the prosecution has been examined till now and the period in custody, the Court directs the petitioner to be enlarged on bail in connection with NDPS Case no. 1 of 2018 (arising out of Dholbajja (Kadwa O.P) P.S. Case no. 3 of 2018) 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 Additional Sessions Judge XII, Bhagalpur.

(Partha Sarthy, J)

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