

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41953 of 2021

Arising Out of PS. Case No.-9 Year-2021 Thana- BODHGAYA District- Gaya

1. CHANDU Son of Kandaswami Resident of Village - Babhan Hali, P.S. Babhanhali, District - Bangalore, Karnataka.
2. Deepak Azad Son of Anand Resident of Pilla Gajhali, P.S. - Benagatta, District - Bangalore, Karnataka.
3. Prabhakar Kumar Son of Ganpathi Resident of Mohalla - Birsa Colony Gutti Grah P.S. - Udimadh, District - Bangalore, Karnataka.
4. Shiv Kumar Son of Narayan Swami Resident of Mohalla - Kattan Pet, P.S. Kattan Pet, District - Bangalore, Karnataka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rama Kant Singh
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 28-10-2021 Heard learned counsel for the petitioners and the State.

Petitioners seek regular bail in a case registered for the offence punishable under Section 419, 420, 467, 471, 472, 120(B)/34 of the Indian Penal Code, under Section 30 (a), 37(i), 37(ii), 47 of the Bihar Prohibition & Excise Act and u/s 20/22 of NDPS Act.

As per the prosecution case, on 07.01.2021 at about 9 PM on the secret information that several persons are staying at Bharti Guest House and are doing online cheating and are creating nuisance after taking wine, raid was conducted and these petitioners along with other accused persons were apprehended. Several mobile phones, laptops, ATM cards, chargers, SIMs, Voter I-cards, bottles of wine and other articles



were recovered from the possession of the accused persons. About 400 gm of Ganja was also recovered from another room.

Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in the case. It is submitted that only mobile phones were recovered from the possessions of the petitioners as would appear from perusal of seizure list. So far recovery of Ganja is concerned, the same was recovered from another room and no narcotic substance was recovered from the possession of these petitioners. Petitioners claim clean antecedent and are in custody since 09.01.2021 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioners, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sessions Judge--cum- Special Judge, NDPS Act, Gaya in connection with Bodhgaya PS case No.09/2021.

(Prabhat Kumar Singh, J)

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