

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6639 of 2021

Arising Out of PS. Case No.-342 Year-2020 Thana- RAXAUL District- East Champaran

=====

SRI BHAGWAN DAS SON OF BINDESHWAR DAS R/O VILLAGE-
DHANHARDIHULI, P.S.- RAMGARHWA, DISTRICT- EAST
CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Upendra Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 19-07-2021 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State through video

conferencing.

The petitioner has filed the instant application for
grant of regular bail in connection with N.D.P.S. Case no. 38 of
2020 (arising out of Raxaul (Haraiya O.P.) P.S. Case no. 342 of
2020) registered under sections 27, 27(a) and 27(b)(A) of the
Drugs and Cosmetics Act, 1940 and section 22(B) of the NDPS
Act.

As per allegation in the FIR, on information having
been received, a raid was conducted and different medicines
were recovered from an e-rickshaw being driven by this
petitioner. Two other persons on the e-rickshaw were also taken
into custody.

It is submitted by learned counsel for the petitioner



that from perusal of the FIR itself it would transpire that the petitioner happens to be the poor driver of the e-rickshaw, which was carrying passengers. He cannot be expected to know the contents of the goods in the bags being carried by his passengers. He has no criminal antecedent and is in custody since 11.9.2020.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and in view of the facts and circumstances of the case including the petitioner having remained in custody for 10 months, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with N.D.P.S. Case no. 38 of 2020 (arising out of Raxaul (Haraiya O.P.) P.S. Case no. 342 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 3rd Additional Sessions Judge, Motihari at East Champaran.

(Partha Sarthy, J)

Spd/-

U		T	
---	--	---	--

