

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18571 of 2021**

Arising Out of PS. Case No.-10 Year-2005 Thana- GOVERNMENT OFFICIAL COMP.
District- Saran

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RANJIT KUMAR @ BADHA PASWAN @ BADHU PASWAN SON OF
BHAGWAN RAM R/O VILL.- GAUSGANJ, GANGIPUL, NEAR
SAMSHAN GHAT, P.S.- ARA, DIST.- BHOJPUR AT ARA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Advocate

For the Opposite Party/s : Mr. Punam Kumari Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

10 28-02-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner, who is in custody since 07.12.2019, seeks
regular bail in connection with Saran Complaint Case No.
10/2005 (N.D.P.S. Case No. 10/2005) registered for offences
punishable under Sections 8/21/29 of the Narcotic Drugs and
Psychotropic Substance Act, 1985.

Prosecution case, in brief, is that the Narcotics
Control Bureau had received a secret information that one
Gajendra Kumar @ Munna Ji was likely to deliver heroin to
some Kolkata based party in Hotel Adarsh, Hathua Market,



Kachahari road, Chapra on 15.08.2005. A team of Narcotic Control Bureau officer conducted and raided of the aforesaid hotel and arrested Gajendra Kumar from whose possession 1 Kg and 100 gm of heroin was recovered who confessed his guilt and disclosed the name of co-accused Hemant Kumar Thakur @ Chhotu, Manoj Kumar and Ayodhya Chouhan @ Lali Chouhan. On the basis of discloser made by Hemant Thakur, his brother namely, Ranjit Kumar (petitioner) was found present there and the recovery memo was prepared on the spot. Petitioner Ranjit Kumar in his voluntary statement u/s 67 N.D.P.S. Act has admitted that he and his brother were engaged in illicit trade of heroin. He has admitted that he and his brother Hemant Kumar had given heroin to Gajendra Kumar @ Munna Ji of Chapra. In his voluntary statement, Ranjit Kumar (Petitioner) also confessed that his neighbour Rajbali Paswan is associated with him and his brother.

Learned counsel appearing on behalf of the petitioner submits that 1.1 kg. of *Heroin* has been recovered from the possession of one co-accused Gajendra Kumar @ Munna Ji and on his disclosure, petitioner's name has come, as one of his associate who is also involved with him in illicit trade of drugs. It is further submitted that the co-accused Gajendra Kumar @



Munna Ji, has already been granted bail vide order dated 26.07.2007 passed in Cr. Misc. 27609 of 2007 (Annexure 3 to the petition). It is submitted that save & except confessional statement of co-accused, no incriminating article has been recovered from conscious possession of the petitioner. Charge-sheet has already been submitted and there is no allegation of tampering with the evidence against the petitioner. Petitioner is in custody since 07.12.2019.

Learned A.P.P., for the State has opposed the prayer for grant of bail to the petitioner.

Considering the fact that Gajendra Kumar @ Munna Ji, has already been granted bail vide order dated 26.07.2007 passed in Cr. Misc. 27609 of 2007 (Annexure 3 to the petition). The petitioner has been roped in the present case on the basis of confessional statement of Gajendra Kumar, the Court below is directed to release the petitioner above named on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge N.D.P.S. Act/District and Sessions Judge, Chapra, Bihar in connection with Saran Complaint Case No. 10/2005 (N.D.P.S. Case No. 10/2005) subject to the following conditions:



(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

(Purnendu Singh, J)

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