

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26594 of 2021

Arising Out of PS. Case No.-400 Year-2020 Thana- GORAUL District- Vaishali

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RAMESH KUMAR @ RAMESH KUMAR YADAV S/o Bisundeo Rai
Resident of Village- Jhijhiribag Pani Tanki, P.s.- Malsalami, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rina Sinha, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-03-2022 Heard learned counsel for the petitioner and the State.

Learned counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

The petitioner is apprehending his arrest in connection with Goraul P.S. Case No. 400 of 2020 registered for the offence under Sections-8/20(b)(ii)(c) of the NDPS Act.

The prosecution case, in short, is that 22.831 kg. Ganja is recovered.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has been falsely implicated in the present case. It is alleged that out of 22.831 kg., 15.069 kg. Ganja is recovered from the co-accused whereas 7.762 kg. of Ganja is said to have been recovered by side of



the road. The name of the petitioner has transpired in this case on the basis of disclosure made by co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case. No contraband is said to have been recovered from conscious or constructive possession of the petitioner. There is no compliance of Sections-42 & 50 of the NDPS Act.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Vaishali at Hajipur in connection with Goraul P.S. Case No. 400 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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