

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25009 of 2022**

Arising Out of PS. Case No.-9 Year-2022 Thana- BELA District- Sitamarhi

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DINESH RAM SON OF RAM ASHISH RAM R/O VILLAGE-  
GAMHARIYA, P.S.- BELA, DISTRICT- SITAMARHI

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr.Ashhar Mustafa

For the Opposite Party/s : Mr.Amitesh Kumar

=====

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

5      12-10-2022                      Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in a case registered under section 8, 20(b)(ii)(C), 21(c), 22(c) and 23(c) of NDPS Act of the Indian Penal Code.

As per the prosecution case, on seeing the police, a person started fleeing away throwing a big bundle who was identified as Dinesh Ram (petitioner) in the light of the vehicle/torch . On search, 14 Kgs Ganja was recovered from the said bundle.



Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. Learned counsel further submitted that the petitioner was identified in the light of the vehicle and was arrested on mere suspicion. Name of the person who has identified the petitioner is not mentioned in the FIR. Learned counsel further submitted that the petitioner was residing in Delhi and doing the work of driving and when he returned, he was arrested. The petitioner is accused in two other criminal cases out of which one is related to NDPS Act as stated in para 3 of the bail petition. The petitioner is in custody since 12.02.2022. The seized contraband is not commercial quantity.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Sitamarhi in connection with Bela P.S. Case No. 09 of 2022, with following conditions:-

1. The petitioner is directed to remain physically



present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the prosecution will have liberty to move for cancellation of bail bond of the petitioner.

2. If the petitioner is found involved in any other criminal case in future, the prosecution will have liberty to move for cancellation of bail bond of the petitioner.

The application stands allowed.

**(Chandra Prakash Singh, J)**

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