

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42229 of 2022

Arising Out of PS. Case No.-278 Year-2020 Thana- HAJIPUR SADAR District- Vaishali

Anna @ Anna Kumar @ Ranjan Kumar S/O Suresh Ray Resident Of Village-
Dighi Yogi Brahm Asthan, Abdulpur, P.S.- Hajipur Sadar In The District Of
Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. The Union of India through the Director Narcotics Control Bureau Patna,
Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar, Advocate
For the Opposite Party/s : Mr. Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 22-11-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the

learned APP for the State.

Petitioner seeks regular bail in connection with

Hajipur Sadar P.S. Case No. 278 of 2020 registered for the

offences punishable under Sections 414 of the Indian Penal

Code and 8, 20 (b) (ii) (B), 25 and 29 of N.D.P.S. Act and

Section 52 of Prisoners Act.

As per the prosecution, the police found some persons

standing near motorcycle in a suspicious condition and on



seeing the police they made an attempt to flee but co-accused Ranjit Kumar was apprehended at the spot and from his possession 1750 gm narcotic material suspected to be *Ganja* and five mobile phones were recovered and other co-accused persons managed to escape.

The main submissions advanced by the learned counsel Mr. Ranjeet Kumar appearing for the petitioner are that the petitioner was not arrested at the spot and co-accused Ranjit Kumar from whose possession the alleged contraband and other articles were recovered has been granted bail by a co-ordinate Bench of this Court vide order passed in Cr. Misc. No.53561 of 2021 and against the petitioner there is criminal antecedent of one case and he has been languishing in jail since 07.03.2022.

Learned APP Mrs. Rina Sinha appearing for the State has opposed the bail prayer.

In view of above submissions and mainly considering the facts that co-accused from whose possession the alleged contraband was recovered is on bail and the petitioner was not apprehended at the spot and his name surfaced in the statement of Co-accused Ranjit Kumar and the alleged recovered contraband comes under the purview of lesser than commercial quantity, in the opinion of this Court a lenient



approach can be taken in respect of petitioner’s prayer, let the petitioner 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 the concerned Court in connection with Hajipur Sadar P.S. Case No. 278 of 2020.

(Shailendra Singh, J.)

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