

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.53341 of 2021**

Arising Out of PS. Case No.-441 Year-2019 Thana- UDWANTNAGAR District- Bhojpur

GUDDU MIYAN @ GUDDU KHAN S/o LATE KHALIL KHAN R/o  
VILLAGE-CHAKIA CHITKUND, P.S-ARA MUFFASIL, DISTRICT-  
BHOJPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh, Advocate

For the Opposite Party/s : Mr. Dinesh Singh, APP

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

3      08-04-2022                      Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 8, 20(b)(ii)(C) and 29 of the NDPS Act.

As per the prosecution case, on the vehicles in question being searched it is stated that 166 kgs. of ganja was recovered and two accused, namely, Dipak Kumar and Pradeep Kumar were taken into custody. They disclosed the name of six other accused persons including the petitioner herein and stated that they were also involved in the business of ganja.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. No



incriminating article has been recovered from the petitioner's possession nor was the petitioner arrested at the spot. The only material against the petitioner is the statement of a co-accused made before the police. The petitioner is in custody since 1.7.2021 and has no criminal antecedent. Chargesheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, there being no recovery of any incriminating article from the possession of the petitioner, the petitioner having remained in custody for over 9 months and not having any criminal antecedent, the petitioner is directed to be enlarged on bail in connection with N.D.P.S. Case no. 21(A)/2019 (arising out of Udwantnagar (Gajrajganj) P.S. Case no. 441 of 2019) 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 Sessions Judge, Bhojpur at Ara.

**(Partha Sarthy, J)**

Spd/-

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