

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44521 of 2022

Arising Out of PS. Case No.-140 Year-2022 Thana- SASARAM MUFFSIL District- Rohtas

Sanjay Ray, S/O- Late Jamuna Ray, R/O Village- Amaithi, P.S.- Sanjhauli,
Distt.- Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union Of India Through Intelligence Officer, Narcotics Control Bureau,
Patna Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Choubey Jawahar, Advocate

For the Opposite Party/s : Mr.Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 16-12-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

In the present case, the petitioner seeks bail in connection with Sasaram (Muffasil) Karwandiya (O.P) P.S. Case No. 140 of 2022 registered for the alleged offences under Sections 8, 20(i)(ii)(c), 25 and 29 of the N.D.P.S. Act.

As per prosecution case, police received secret information about co-accused Ram Umesh Pandey bringing *ganja* to his house for selling it. A raid was conducted and the petitioner along with two co-accused persons were apprehended. From the search of the house of the co-accused Ram Umesh Pandey 5.13kg of *ganja* was recovered.



The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. No occurrence as alleged has ever taken place. Nothing incriminating has been recovered from the conscious possession of this petitioner. The alleged recovery has been made from the house of the co-accused and the petitioner has nothing to do either with the co-accused persons or the recovered articles. The petitioner is an auto driver and he has gone with co-accused Ajit Ray to his in-laws house where he has been apprehended by the police. The petitioner is in custody since 29.03.2022 and the charge-sheet has been submitted in this case. The petitioner is having clean antecedent.

Learned APP opposes the prayer for bail.

Having regard to the facts and circumstances and submissions made on behalf of the petitioner and considering the clean antecedent of the petitioner along with his period of custody as well as submission of charge-sheet against him, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned 18th Additional Sessions Judge, Sasaram, Rohtas in connection with Sasaram (Muffasil) Karwandiya (O.P.) P.S. Case No. 140



of 2022, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

balmukund/-

U		T	
---	--	---	--

