

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59341 of 2021

Arising Out of PS. Case No.-375 Year-2020 Thana- FATUA District- Patna

CHINTU BABA @ CHINTU GOPE @ RAHUL KUMAR Son of Bangali
Gope @ Bangali Yadav Resident of Village - Govindpur, P.S.- Fatuha, Distt.-
Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Kumar Sinha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 15-02-2022 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 20(b)(ii)(c)
and 22(c) of the N.D.P.S. Act.

As per the prosecution case, on information having
been received, a raid was conducted and 419.7 kgs of ganja was
recovered from the premises of Shrikant Narayan Sharma. It
further transpired that the other accused persons including the
petitioner and Daharu Gope were involved in the business of
ganja.

It is submitted by learned counsel for the petitioner
that neither the petitioner was arrested at the spot nor any



incriminating article has been recovered from his possession. The alleged recovery is from the premises of Shrikant Narayan Sharma. The case of the petitioner is on a better footing to that of co-accused Daharu Gope who has been enlarged on anticipatory bail vide order dated 22.12.2021 passed in Cr. Misc. no.58253 of 2021. The petitioner is in custody since 20.7.2021 and has no criminal antecedent. Chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case including the petitioner not having been arrested at the spot and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Special (N.D.P.S.) Case no.72 of 2020 (arising out of Fatuha P.S. Case no.375 of 2020) 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/Special Judge, Patna.

(Partha Sarthy, J)

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