

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68752 of 2021

Arising Out of PS. Case No.-160 Year-2021 Thana- MANIYARI District- Muzaffarpur

RAMJI KUMAR Son of Bindeshwar Sah Resident of Village- Jagdishpur,
P.S.- Maniyari, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-05-2022 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

Let the defect(s), if any, be removed within a period of
four weeks after complete start of the physical Court.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 20, 22 and 8 of the NDPS Act
read with Sections 25(1-b)a, 26 and 35 of the Arms Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 03.06.2021, is a person with clean
antecedent and charge-sheet has been submitted.

Allegation is of recovery of one loaded country made
pistol from all the three accused including the petitioner along with
800 gram of ganja from the motorcycle.

Learned counsel for the petitioner submits that petitioner
has been falsely implicated in the present case and nothing was
recovered from the possession of the petitioner and does not have any



concern with the seized motorcycle or the arms. Learned counsel further submits that even assuming what has been alleged is true without admitting the same then recovery of ganja was from the motorcycle which does not belong to the petitioner and the recovery was of less than small quantity and petitioner is a person with clean antecedent. Learned counsel further submits that similarly situated co-accused has been granted bail by this Court vide order dated 23.03.2022 passed in Cr. Misc. No. 61833 of 2021.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 03.06.2021, is a person with clean antecedent, charge-sheet has been submitted and the alleged recovery of Ganja is less than small quantity and it is the first offence of the petitioner, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with NDPS Case No. 56 of 2021 arising out of Maniyari P.S. Case No. 160 of 2021.

(Satyavrat Verma, J)

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