

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6896 of 2023

Arising Out of PS. Case No.-816 Year-2022 Thana- KANTI District- Muzaffarpur

ROHIT @ MD. TAUHID @ MD. TAUHEED Son of Md. Sattar Resident of
village - Sahpur Patori Maricha, P.S.- Tajpur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surya Narayan Roy

For the Opposite Party/s : Mr.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 05-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 414 of the IPC and
Section 8/20(b)(ii)(c) of NDPS Act and Section 25(1-b)a, 26 and
35 of the Arms Act.

As per allegation in the FIR, on secret information
about transportation of Ganja, police party reached near Sadatpur
over bridge and on seeing them, six miscreants on two
motorcycles were stopped and on search, arms and ammunitions
and 26.3 kg. Ganja like substance were recovered and all the
accused persons including the petitioner .

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has been falsely implicated in this Case. In fact,
petitioner was arrested from his sasural on 26.11.2022 but due to



high handedness of police, his arrest is being shown as on spot on 27.11.2022 with narcotic substance. No local person was made as a witness of the seizure list rather seizure list witnesses are police personnel. There is complete violation of provision of Section 50 of the NDPS Act. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 18.5.2023 passed in Cr. Misc. No. 24374 of 2023. Petitioner is languishing in judicial custody since 28.11.2022.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge NDPS Act, Muzaffarpur in connection with Kanti P.S. Case No. 816 of 2022.

(Sunil Kumar Panwar, J)

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