

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11640 of 2023

Arising Out of PS. Case No.-428 Year-2022 Thana- HARLAKHI District- Madhubani

1. Ramdev Barai S/O Ramvilash Barai Resident Of Village- Bela, P.S.- Bariya, District- Dhanusha (Nepal).
2. Rajendra Mahto S/O Shri Kishun Mahto Resident Of Village- Bela, P.S.- Bariya, District- Dhanusha (Nepal).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-04-2023 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners have filed the instant application

for grant of regular bail in a case registered for the

offences punishable under Sections 20, 22 of N.D.P.S.

Act.

It is a case of recovery of 6.600 kgs of Ganza

like narcotics substance from a motorcycle bearing

registration number BR-32AC-4596.The petitioners are

alleged to be driver and pillion rider of the aforesaid

motorcycle from which alleged recovery has been made.



It is submitted by learned counsel for the petitioners that the petitioners are innocent and they have falsely been implicated in the present case. Nothing incriminating has been recovered from the conscious possession of the petitioners. They have no concern either with the alleged seized contraband or with motorcycle in question. The seized contraband Ganza is lesser than commercial quantity as per N.D.P.S. Act. Moreover, the petitioners are languishing in judicial custody since 20.12.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged



on bail in connection with Harlakhi P.S. Case No. 428 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Madhubani.

(Sunil Kumar Panwar, J)

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