

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14130 of 2023

Arising Out of PS. Case No.-466 Year-2022 Thana- DUMRA District- Sitamarhi

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Ramjee Rai Son Of Ram Naresh Rai Resident Of Village - Vishwanathpur,
P.S.- Dumra, District - Sitamarhi.

... .. Petitioner/S

Versus

Union Of India Government Of India

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashhar Mustafa

For the Opposite Party/s : Mr.K.N.Singh(Asg)

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 26-04-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application
for grant of regular bail in a case registered for the
offences punishable under Sections 20(b)(ii)A of
N.D.P.S. Act.

The prosecution case in nutshell is that during
course of patrolling, when the informant with other
police official reached west of Distt. Jail perimeter wall,
he saw that two persons, one having some substance in
black plastic polythene and on seeing the police forces
they started to feeling towards south side, out of them



one person having plastic polythene was apprehended and other managed to flee. On query, the apprehended accused disclosed his name as Rajesh Kumar @ Bantha. He also disclosed that the said Ganja had been provided by petitioner from jail which had to be thrown into the hail premises. It is further alleged that 250 grams of Ganja like substance has been recovered from the possession of apprehended co-accused person.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged recovery. There is no independent of the alleged seizure. The alleged recovered Ganja is lesser than commercial as per N.D.P.S. Act. Moreover, the petitioner is languishing in judicial custody since 17.11.2022.

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 petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Dumra P.S. Case No. 466 of 2022 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 Special Judge, Sitamarhi.

(Sunil Kumar Panwar, J)

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