

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20690 of 2023

Arising Out of PS. Case No.-134 Year-2018 Thana- BARHIYA District- Lakhisarai

ROSHAN SINGH @ RAUSHAN SINGH @ RAUSHAN KUMAR Son of
Lalan Singh R/O Village - Jaitpur, P.S.- Barahiya, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 16-05-2023 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in connection with N. D. P. S. Case No. 11 of 2018 (arising out of Barhiya P. S. Case no. 134 of 2018) registered under sections 8/20(b)(i)(c), 25 and 29 of N.D.P.S. Act.

As per the prosecution case, the informant states that information having been received and a raid being conducted, a total of 47.351 kgs of *ganja* was recovered from a pickup van and one Ladu Mahto was taken into custody. On being questioned the driver Ladu Mahto disclosed that the *ganja* had been given to him by the petitioner with the direction to take the same to the Lakhisarai toll. Further on reaching there he would be informed as to where the same had to be delivered.

Learned counsel for the petitioner submits that from the contents of the FIR it would transpire that neither any



incriminating article has been recovered from the petitioner's possession nor is he involved in the alleged crime in any manner. The only material against him is the statement of coaccused made before the police. Neither the petitioner was arrested at the spot nor has he any concern with the seized vehicle or narcotic. He is in custody since 13.2.2023 and chargesheet has been submitted in the case.

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

Having heard learned counsel for the parties it transpires that as per the FIR seizure of *ganja* has taken place from the pickup van from the custody of coaccused Ladu Mahto. The petitioner not having any concern with the vehicle in question, no incriminating article having been recovered from the petitioner's possession who is in custody since 13.2.2023 and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with N.D.P.S. Case No. 11 of 2018 (arising out of Barhiya P.S. Case no. 134 of 2018) 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 District and Sessions Judge, Lakhisarai.

(Partha Sarthy, J)

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