

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24030 of 2023

Arising Out of PS. Case No.-253 Year-2022 Thana- RAGHOPUR District- Vaishali

NAWDEEP RAI @ NAVADEEP RAI @ NAVDIP RAY Son of Late Madan Rai Resident of village-Mirampur (Mohanpur) Ward No. 2, P.S. Raghapur, District-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rashmi Sharma

For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-05-2023 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 08/20(b)(ii) (c)/23(c)/27(A) of the NDPS Act.

Prosecution case relates to recovery of 30 kg Ganja like substance from the house of the petitioner which was kept in red bag under the bed and petitioner was apprehended from near his house.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Nothing has been recovered from his conscious possession. He has no concern with the alleged recovery.



Provision of Section 50 of NDPS Act has not been followed by the police officials while preparing the seizure list. Petitioner is a sick man of 71 years old and in this offence, he along with son both were made accused in the same offence by the police, which is not just and proper. Chargesheet has been submitted without FSL report. He is languishing in judicial custody since 8.8.2022.

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

Having heard learned counsel for the parties and considering the fact that petitioner is an old man of 71 years, 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 Additional Sessions Judge-1, Vaishali at Hajipur in connection with Raghapur P.S. Case No. 253 of 2022.

(Sunil Kumar Panwar, J)

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