

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26456 of 2023

Arising Out of PS. Case No.-92 Year-2023 Thana- JAGDISHPUR District- Bhagalpur

1. Subrato Rai, aged about 32 years, Male, S/O Bimal Rai R/O South Colony, Majdur Basti, IOC Road, Janta Para, P.S- Shaktinagar, Siligudi, Distt.- New Jalpaigudi (W.B)
2. Laxmi Majumdar, Age-30 years, Female, W/O Subhash Majumdar R/O South Colony, Majdur Basti, IOC Road, Janta Para, P.S- Shaktinagar, Siligudi, Distt.- New Jalpaigudi (W.B)
3. Sapna Rai, Age-31 yrs, Female, D/O Bimal Rai, W/O Pintu Mandal R/O South Colony, Majdur Basti, IOC Road, Janta Para, P.S- Shaktinagar, Siligudi, Distt.- New Jalpaigudi (W.B)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate
For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 25-05-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners seek bail in connection with Jagdishpur P.S. Case No. 92 of 2023 dated 21.02.2023, instituted for the offences punishable under Sections 20(b)(ii) (c), 22 of NDPS Act.

3. Allegation against the petitioners is that 6 Kgs *ganja* was recovered from the possession of Subrato Rai (petitioner no.1), whereas, 2 Kgs *ganja* each was recovered from Laxmi Mazumdar (petitioner no. 2) and Sapna Rai, (petitioner no. 3).

4. Learned counsel for the petitioners submits that the



petitioners are innocent and they have been falsely implicated in this case only on the basis of suspicion. It is further submitted that without F.S.L. report charge-sheet has been submitted against the petitioners. Learned counsel further submitted that without determination of contents of contraband the petitioners have been implicated in this case. Learned counsel further submits that the recovery from the accused persons is much less than commercial quantity. Lastly, it has been submitted that the petitioners are in custody since 22.02.2023 having no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court of Sessions Judge, Bhagalpur, in connection with Jagdishpur P.S. Case No. 92 of 2023.

(Khatim Reza, J)

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