

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30570 of 2023

Arising Out of PS. Case No.-13 Year-2023 Thana- DERNI BAZAR District- Saran

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Bachan Rai @ Ram Bachan Rai Son Of Hiralal Rai Resident Of Village-
Laganpura, P.S.-Bheldi, District-Saran, Bihar

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/S

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Appearance :

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

For the Opposite Party/s : Mr. Kalyan Shankar, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 13-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks regular bail in connection with Derni
P.S. Case No. 13 of 2023, registered for the offences punishable
under Sections 8, 20, 22(b) and 29 of N.D.P.S Act.

As per the prosecution case, one kg ganja has been
recovered from the possession of co-accused persons Munna
Kumar and Raju Kumar who disclosed that the same was given
by their father for selling to labour and their father has
purchased the same from the petitioner.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case and his name



has been transpired only on the basis of the confessional statement made by the co-accused persons. Petitioner is an old man aged about 67 years. There is no recovery of any incriminating article from the possession of the petitioner. Petitioner has no criminal antecedent and is in jail custody since 17.03.2023. He further submits that similarly situated co-accused persons namely Munna Kumar and Raju Kumar have already been granted bail by a Coordinate Bench of this Court vide order dated 16.05.2023 in Cr. Misc. No. 19394 of 2023.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Considering the facts and circumstances of the case let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court of Sessions Judge-Cum-Special Judge, Saran at Chapra in connection with Derni P.S. Case no. 13 of 2023 with subject to the following conditions:

(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioner will remain present on each and every date fixed by the court below.



(iii) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Sunil Dutta Mishra, J)

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