

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31649 of 2023

Arising Out of PS. Case No.-546 Year-2022 Thana- BHAGWAN BAZAR District- Saran

BINOD RAI @ VINOD RAY Son of Late Narayan Rai @ Tunai Rai Resident
of village-Ratanpura, Ojha Toli, P.S.-Bhagwan Bazar, Dist-Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar Sinha

For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 20/22 of the NDPS Act.

The allegation against the petitioner along with others
is of selling smack to other accused persons. It is further alleged
that some persons apprehended and on search, there has been
recovery of smack like substance, cash and other articles from
others co-accused.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner has not apprehended on spot
and he has no concern with the smack, which was seized by the
police. The name of the petitioner has come into light, on the



basis of confessional statement of co-accused, who apprehended on spot, which has got no evidentiary value in the eyes of law. No incriminating article has recovered from the conscious possession of the petitioner. He is languishing in judicial custody since 29.06.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering 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 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 Sessions Judge-cum-Special Judge, Saran at Chapra in connection with Bhagwan Bazar P.S. Case No. 546 of 2022.

(Sunil Kumar Panwar, J)

arish/-

U		T	
---	--	---	--

