

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36169 of 2023

Arising Out of PS. Case No.-23 Year-2023 Thana- BHAGWANPUR District- Vaishali

ANIL RAI @ ANIL KUMAR RAI S/O LATE SATYA NARAYAN RAI R/O
Village- Ramjeetpur, P.S- Derni, Distt.- Saran (Chapra).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivjee Singh

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 01-08-2023 Heard learned counsel for the petitioner and learned
A.P.P appearing on behalf of the State.

2. The petitioner is languishing in custody in a case registered for the offences punishable under Sections 414 of the Indian Penal Code and Sections 8, 20, 22 of the N.D.P.S. Act.

3. There is recovery of 9.8 Kgs of Ganja from a Scorpio vehicle and three persons including the petitioner were arrested on spot.

4. It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case only because he was part time driver, hired by owner of the alleged scorpio vehicle. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern either with the seized contraband item or with the



vehicle in question. The petitioner is languishing in custody since 25.01.2023. Moreover, the seized Ganja does not come within the purview of commercial quantity. Similarly situated other accused person has already been enlarged on bail by this Court vide order dated 21.7.2023 passed in Cr. Misc. No. 39768 of 2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

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

6. Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge, (NDPS) Vaishali at Hajipur in connection with Bhagwanpur P.S. Case No. 23 of 2023 (N.D.P.S G.R No. 11/2023).

(Sunil Kumar Panwar, J)

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