

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39319 of 2022

Arising Out of PS. Case No.-350 Year-2022 Thana- BHABHUA District- Kaimur (Bhabua)

RAMESH KUMAR RAM Son of Late Pradeep Ram Resident of Village -
Bhabua, Ward No.- 14, P.O. and P.S.- Bhabua, Distt.- Kaimur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha, Advocate

For the Opposite Party/s : Mr.Ram Naresh Ray, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 24-01-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Bhabua P.S. Case No. 350 of 2022 for the offence registered under Sections 8(C), 21(B) and 27(A) of the Indian Penal Code.

The police force had conducted a raid at the alleged place of occurrence and apprehended the petitioner and upon search 1.75 gms. of smack and cash amount of Rs. 1100/- was recovered from the pocket of the petitioner.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, is



having a clean antecedent and he is languishing in custody since 02.06.2022. It is submitted that the quantity of smack recovered from the possession of the petitioner is much less than the minor quantity defined in the Schedule notified under the provisions of the NDPS Act, 1985, hence, there is no impediment in grant of bail to the petitioner.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the quantity of smack recovered from the possession of the petitioner is much less than the minor quantity defined in the Schedule notified under the provisions of the NDPS Act, 1985, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail



bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, Kaimur at Bhabua in connection with Bhabua P.S. Case No. 350 of 2022.

(Mohit Kumar Shah, J)

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