

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44221 of 2023

Arising Out of PS. Case No.-31 Year-2023 Thana- KUNAUli District- Supaul

1. Jagdish Das @ Jagsish Das Son Of Laxman Das Resident of Kunauli Ward No.03, P.S.-Kunauli, Dist-Supaul
2. Satya Narayan Das Son Of Laxman Das Resident of Kunauli Ward No.03, P.S.-Kunauli, Dist-Supaul
3. Krishna Ram @ Munna Ram Son Of Jagdish Ram Resident Of Ward No.-07, Village And Police Station - Rajviraj, District – Sapsari (Nepal)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun
For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 02-12-2023 At the outset, learned counsel for the petitioner seeks permission to withdraw the bail application of petitioner No.1, namely, Jagdish Das.

Permission is accorded.

This application is dismissed as withdrawn in respect of petitioner No.1.

So far as petitioner No.2 and petitioner No.3 are concerned, the present application has been filed for granting regular bail in connection with Kunauli P.S. Case No. 31 of 2023 registered under sections 8/20(b)(ii)(B)/22(b) and 21(b) of the NDPS Act.



As per allegation in the FIR, on the basis of secret information, police team raided the house of the petitioner No.1 and on search, 2kg ganja and 700 grams of charas like intoxicating substance along with 1226 illegal tablets, mobile phone and liquor have been recovered from his house. It is further alleged that there has been recovery of Indian Currency of Rs. 1,94,910/- and Rs. 77,300/- of Nepali currency from his house. Petitioner No.2 and petitioner No.3 were also present in his house at that time.

Learned counsel for the petitioners submits that the petitioner are innocent and have committed no offence. They have falsely been implicated in this case. It is further submitted that nothing has been recovered from the conscious possession of the petitioner No.2 and petitioner No.3. They have no concern with the seized article which has been recovered from the house of the petitioner No.1. Moreover, they are languishing in judicial custody since 22.03.2023.

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 this case as well as the custody of the petitioner No.2, namely, Satya Narayan Das



and petitioner No.3, namely, Krishna Ram, this Court is inclined to enlarge them on bail. The above named petitioners are directed to be enlarged on bail in connection with Kunauli P.S. Case No. 31 of 20 23 on each of them furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge cum Special Judge, NDPS, Supaul.

(Sunil Kumar Panwar, J)

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