

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42342 of 2023

Arising Out of PS. Case No.-72 Year-2023 Thana- LAUKAHA District- Madhubani

Indar Ram @ Panditji @ Indra Ram S/O Ram Sharan Ram R/O Village-
Dhanuk (DHUNKI), Ps. Lalmaniya (O.P.), Dist. Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash, Advocate

For the Opposite Party/s : Mr.Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Laukaha (Lalmaniya) P.S. Case No. 72 of 2023 (G. R. No.
25/2023) lodged on 22.03.2023 under Sections 272 and 273 of
the Indian Penal Code.

3. As per the prosecution case, the recovery of 3 kg
and 7gram of ganja and 4 litres of illicit Nepali liquor have been
made from the possession of the petitioner and one co-accused.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. In fact, the
petitioner resides near the border of Nepal and on the alleged
date of occurrence, he was going to meet his relative, but merely
on the basis of suspicion, he has been apprehended by the



police. The petitioner is in custody since 23.03.2023 and apart from the present case, the petitioner is accused in five more criminal cases. Moreover, the alleged recovered ganja is below the commercial quantity. It is further submitted that process of Section 100 of the Narcotic Drugs and Psychotropic Substances Act, 1985 has been violated grossly at the time of recovery.

5. Learned counsel for the State opposes the prayer for bail and submits that the petitioner is accused in five more criminal cases of similar nature, therefore, it appears that he is a professional seller of the illicit liquor.

6. Upon specific query from the counsel for the petitioner whether the charge has been framed or not, learned counsel for the petitioner submits that he is not aware about the fact whether the charge has been framed or not.

7. In the present facts and circumstances, I am not inclined to grant regular bail to the petitioner.

8. Accordingly, the prayer for regular bail of the petitioner in connection with Laukaha (Lalmaniya) P.S. Case No. 72 of 2023 (G. R. No. 25/2023), pending before the learned Sessions Judge, Madhubani is hereby rejected.

9. However, the petitioner would be at liberty to renew the prayer for bail after framing of the charge. The trial



Court is directed to release the petitioner after framing of the charge by imposing its own condition so that the petitioner may not evade appearance on the date fixed.

10. With this observation, the bail application stands disposed of.

(Dr. Anshuman, J)

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