

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42556 of 2022

Arising Out of PS. Case No.-79 Year-2021 Thana- SONEPUR District- Saran

NAGA RAI @ NANDLAL RAI S/O RAM PANNI RAI Resident of village-
Nazarmira, Semar Tal, P.S.- Sonepur, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi, Advocate

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 16-01-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in
connection with N.D.P.S. P.S. Case No. 15 of 2021
arising out of Sonepur P.S. Case No. 79 of 2021 for
the offence registered under Section 21 of the
N.D.P.S. Act.

The allegation is regarding the informant
having received secret information that some
miscreants had assembled at the alleged place of
occurrence and were preparing to commit some
crime, whereafter the informant alongwith his
police force had reached at the place of
occurrence, on the alleged date and time and upon
seeing the police party, though the co-accused



person, namely, Anand Kumar was arrested, the other co-accused persons had managed to flee away. It is further alleged that upon search a pouch weighing 380 mg. containing smack like material weighing 120 mg. alongwith one country made pistol, one bhujali and a knife as also a mobile phone were recovered. It is also alleged that the said co-accused person, upon being interrogated had disclosed the name of the other miscreants who had fled away from the place of occurrence including that of the petitioner herein.

The learned counsel for the petitioner has submitted that the petitioner is innocent and he has been falsely implicated in the present case. It is further submitted that the petitioner has been remanded in the present case on 27.10.2021 and is stated to be an accused in 5 other cases. It is also submitted that neither the petitioner has been arrested from the spot nor any incriminating article has been recovered from him and he has been made an accused in the present case only because of his bad antecedent.



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 neither the petitioner had been arrested from the spot nor any incriminating article has been recovered from him, I deem it appropriate 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 Additional Sessions Judge-1, Saran at Chapra in connection with NDPS Case No. 15 of 2021 arising out of Sonapur P.S. Case No 79 of 2021.

(Mohit Kumar Shah, J)

S.Sb/Saurav

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

