

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44227 of 2023**

Arising Out of PS. Case No.-462 Year-2021 Thana- SUGAULI District- East Champaran

MUNNA MIYA @ MUNNA ALAM S/O MURTUJA MIAN R/O Village-
Sripur, P.S- Sugauli, Distt.- East Champaran, Motihari.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Jai Narain Thakur

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

- 2 26-07-2023
1. Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.
 2. Heard learned counsel for the petitioner and learned A.P.P. for the State.
 3. The petitioner has preferred this application for grant of regular bail in connection with NDPS Case No. 12 of 2022 arising out of Sugauli P.S. Case No. 462 of 2021 dated 3.11.2021 registered for the offence punishable u/s 20(b)(ii)(c), 23, 27(a), 29 of the NDPS Act.
 4. As per the prosecution case, 151.160 kgs of ganja is alleged to have recovered from the truck bearing Registration



No. BR-30-GA 0972. The co-accused Vishal Patel and Chandra Shekhar Kumar were apprehended, who disclosed the name of the petitioner and the co-accused persons having brought the said Ganja.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged recovery. The petitioner is not the owner nor the driver of the vehicle. The co-accused person has already been granted bail by the Coordinate Bench of this Court vide order dated 3.7.2023 passed in Cr. Misc. No. 60915 of 2022. The petitioner is accused in one more criminal case as stated in para 3 of the bail petition. The petitioner is in custody since 10.4.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the seized contraband is of commercial quantity.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of



the like amount each to the satisfaction of learned Court concerned, East Champaran at Motihari in connection with NDPS Case No. 12 of 2022 arising out of Sugauli P.S. Case No. 462 of 2021.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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