

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43968 of 2022

Arising Out of PS. Case No.-284 Year-2022 Thana- BODHGAYA District- Gaya

SATISH SAO Son of Late Narayan Sao Resident of village- Nadarpur, P.S-
Barachatti, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Syed Asgher Najmi, Advocate

For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

3 09-01-2023 Heard the learned counsel for the petitioner and
the learned APP for the State.

The petitioner seeks regular bail in connection
with Bodh Gaya PS case no. 284 of 2022 instituted for the
offences punishable under Sections 18/20/22 of N.D.P.S. Act.

The case of the prosecution in brief, according to
the informant, is that on 28.05.2022 at about 5 pm, he got
information that two persons were travelling on a motorcycle
carrying opium, whereupon the informant had intercepted the
said motorcycle and arrested two co-accused persons, from whose
possession, various quantity of opium was recovered and upon
interrogation, they disclosed that they had purchased the opium



from the petitioner herein.

The learned counsel for the petitioner submits that the petitioner is innocent, has been falsely implicated in the present case, is having a clean antecedent and he is languishing in custody since 30.05.2022. The learned counsel for the petitioner has further submitted that the petitioner is not having any complicity in the matter, inasmuch as neither he has been arrested from the spot nor any recovery has been made from his possession.

Per contra, the learned APP 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 parties and taking into account the materials available on record as also considering the fact that neither the petitioner has been arrested from the spot nor any opium has been recovered from his possession, apart from the fact that he is having a clean antecedent and has been implicated in the present case merely on suspicion, I deem it fit and appropriate to enlarge the petitioner on bail.

Accordingly, the abovenamed petitioner is directed to be released on regular bail on furnishing bail bond of



Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, N.D.P.S. Act, Gaya in connection with Bodhgaya PS case no. 284 of 2022.

(Mohit Kumar Shah, J)

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