

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45134 of 2022

Arising Out of PS. Case No.-7 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Vaishali

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Jairam Ray Son Of Late Musafir Ray R/O Village- Mohanpur, Mirampur,
P.S.- Raghapur, District- Vaishali

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhim Sen Prasad
For the Opposite Party/s : Mr. Anant Kumar 1

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

9 20-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under section 20(b) of the
N.D.P.S. Act.

As per prosecution case, it is a case of recovery of 40
kg ganja from as alleged house of the petitioner and he is said to
have indulged in the business of narcotic substance.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. It is further submitted vide
para 2 & 3 of the supplementary affidavit that as alleged house
from where the recovery has been made, situated at village



Mirampur for which it is stated that the above-mentioned house at village Mirampur had been washed out in flooded area in the year of 1975 and the alleged house became abandoned. The aforesaid house was a joined house belongs in the name of one Musafi Ray. The petitioner has no concern any manner with the alleged house or with the recovered Ganja. It is also submitted vide para 7 of the petition that the petitioner has been suffering from fever and heart disease since long time and due to the said disease, he could not surrender before the court below within the prescribed period granted by the Hon'ble High court by order dated 7.5.2019 passed in Cr. Misc. No. 29722 of 2019. Thereafter, he voluntary surrendered before Court below on 29.6.2022 and since then he is languishing in judicial custody.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with C2A case no. 7 of 2018 arising out of P.A No. 50 of 2018 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount



each to the satisfaction of learned Addl. Sessions Judge-1st
Vaishhali at Hajipur.

(Sunil Kumar Panwar, J)

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