

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49464 of 2022

Arising Out of PS. Case No.-140 Year-2022 Thana- SASARAM MUFFSIL District- Rohtas

Ajit Rai Son Of Bachcha Rai R/V- Amaithi, P.O- Masauna, P.S- Sanjhauli,
Dist- Rohtas At Sasaram, Pin Code- 802220 Bihar

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhen Sarkar

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 13-02-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 8/20(b) (ii)(c)/25/29 of the Narcotics Drug & Psychotropic Substances Act.

The prosecution case in nutshell is that 5.13 kg of Ganza was recovered from the house of co-accused Ram Umed Pandey. Petitioner and other co-accused persons have gone to that place for purchasing of contraband Ganza.

It is submitted by learned counsel for the



petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Nothing incriminating has been recovered from his conscious possession. The alleged recovery has been made from the house of the co-accused and the petitioner has no concern either with the recovered contraband Ganza or with the co-accused persons. The recovered narcotics substance "Ganza" was lesser than commercial quantity as per N.D.P.S. Act. Moreover, the petitioner is languishing in judicial custody since 31.03.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Similarly situated co-accused person, namely, Sanjay Ray, has been granted Bail vide order dated 16.12.2022 passed in Cr. Misc. No. 44521 of 2022 by the co-ordinate Bench of this Court.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties



and taking into consideration the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Sasaram(Muff.) Karwandiya (O.P.) P.S. Case No. 140 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned XVIIIth Additional District and Sessions Judge, Rohtas, Sasaam.

(Sunil Kumar Panwar, J)

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