

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49320 of 2023

Arising Out of PS. Case No.-150 Year-2021 Thana- DORIGANJ District- Saran

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Dhanoj Rai Son Of Asharfi Rai R/O-Mahaji, P.S.-doriganj, Distt.-saran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh

For the Opposite Party/s : Mrs.Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 11-08-2023 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 414 of the Indian Penal Code and Section 8, 20, 22 and 25 of the NDPS Act.

Prosecution case relates to recovery of one motorcycle and 10 kg 750 grams of Ganja like narcotics substance from the husk room co-accused persons.

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 that the name of the petitioner came into light in this case on the basis of confessional statement of other co-accused person



before the police which has got no evidentiary value in the eye of law. It is also submitted that neither the petitioner was apprehended on spot nor anything incriminating article has been recovered from his conscious possession. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. He has suo-motu surrendered on 01.06.2023 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 Doriganj P.S. Case No. 150 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge NDPS Act/Sessions Judge, Saran.

(Sunil Kumar Panwar, J)

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