

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61459 of 2023

Arising Out of PS. Case No.-26 Year-2023 Thana- ARA RAIL P.S. District- Bhojpur

Pradip Paieka Son Of Sukru Paieka @ Sukru Paik Residents Of Village
Chandiput Manikapur Gajpati Police Station Mohna District Ganjam Odisha

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh
For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 8, 20(b) (ii)
(B) and 29 of the NDPS Act.

3. Prosecution case relates to recovery of 9kg of ganja
like narcotics substance from the possession of co-accused
person,namely, Gopal Singh.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. The petitioner is not
apprehended on spot and also nothing has been recovered from
the conscious possession of the petitioner rather the recovery of
ganja like narcotics substance from the possession of the co-



accused person, namely, Gopal Singh who has already been granted bail by the co-ordinate Bench of this Court vide order dated 17.08.2023 in Cr. Misc. No. 51007 of 2023. There is no independent witness of the seizure list rather they are police personnel. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 29.02.2023.

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

6. 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 Ara Rail P.S. Case No. 26 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Bhojpur, Ara.

(Sunil Kumar Panwar, J)

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