

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54244 of 2023

Arising Out of PS. Case No.-246 Year-2022 Thana- SUGAULI District- East Champaran

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DHANANJAY GIRI @ PRADIP GIRI S/O HARENDRA GIRI R/O
VILLAGE- GIRI TOLA, BHADA, PS. HARSIDHI, DIST. EAST
CHAMPARAN, MOTIHARI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shyameshwar Kumar Singh

For the Opposite Party/s : Mr.Choubey Jawahar

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 08-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with NDPS Case No. 38 of 2022 arising out of Sugauli P.S. Case No. 246 of 2022 dated 27.5.2022 registered for the offences punishable u/s 399, 402 of the Indian Penal Code and 25(1-b)a, 26 and 35 of the Arms Act as also 8, 20(b)(ii)(c) of NDPS Act.

3. As per the prosecution case, total 1 kg 624 grams of charas was recovered from the possession of the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. Nothing incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel has further submitted that on 16.8.2023, F.S.L. report was called for from the concerned court which was received vide Letter No. 269 dated 21.8.2023 which states that no charas containing T.H.C. could be deducted in the substance which was given for examination. The petitioner is accused in 7 other criminal cases and he is on bail in five criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 28.5.2022.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the bail petition of the petitioner was earlier rejected by this Court.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran, Motihari in connection with NDPS Case No. 38 of 2022 arising out of Sugauli P.S. Case No. 246 of 2022.



7. The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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