

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59687 of 2023

Arising Out of PS. Case No.-53 Year-2023 Thana- DHAMDAHA District- Purnia

ANAND KUMAR RAY @ANAND RAY SON OF SRI ARJUN RAY
RESIDENT OF VILLAGE- NEHRU CHOWK, DHAMDAHA, POLICE
STATION -DHAMDAHA DISTRICT -PURNEA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjaya Nath Tiwari

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 08-11-2023 Heard learned counsel for the petitioner and Mr. Ashok Kumar Singh, learned Additional Public Prosecutor for the State.

2. The petitioner is in custody since 05.07.2023 in connection with Dhamdaha P.S. Case No. 53/23 registered for the offence punishable under Sections 8(c)/21(b) of the NDPS Act.

3. As per the prosecution case, 11.25 grams of smacks (brown sugar) has been recovered.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. He further submits that the alleged recovered has been made from the co-accused Raju Ansari not from this petitioner. He next submits that the petitioner is not named in the F.I.R., his name surfaced



in the confessional statement of co-accused Raju Ansari who has already been granted bail by a co-ordinate Bench of this Court vide order dated 05.07.2023 passed in Cr. Misc. No. 36168 of 2023.

5. Learned Additional Public Prosecutor appearing on behalf of the State has vehemently opposed the prayer for bail.

6. Considering the facts and circumstances of the case, let the petitioner above named be released on bail *after framing of charge*, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, NDPS Act, Purnea, in connection with Dhamdaha P.S. Case No. 53/23.

7. The petitioner is directed to mark his attendance in Dhamdaha police station on 1st Sunday of every month.

(Sandeep Kumar, J)

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