

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56276 of 2022

Arising Out of PS. Case No.-257 Year-2022 Thana- MOUZAHDIPUR District- Bhagalpur

Ravi Kumar Son Of Vijay Kumar Tanti Resident Of Village - Ishakchak, P.S.-
Ishakchak, District - Bhagalpur.

... .. petitioners/S

Versus

The State of Bihar.

... .. Opposite Party/S

With

Criminal Miscellaneous No. 64407 Of 2022

Arising Out of Ps. Case No.-257 Year-2022 Thana- Mouzahidpur District- Bhagalpur

Rahul Kumar Son Of Prem Nath Sarin Resident Of Village - Near Gayatri
Mandir, Middle School Ward No.- 47, P.S.- Ishakchak, District – Bhagalpur.

... .. petitioners/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 56276 of 2022)

For the petitioners/s : Mr. Dhananjay Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

(In CRIMINAL MISCELLANEOUS No. 64407 of 2022)

For the petitioners/s : Mr. Pankaj Kumar, Adv.

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 21-02-2023 Let the defect(s), if any, be removed within two
weeks from today.

Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners seek regular bail in connection with
Mojahidpur P.S. Case No. 257 of 2022 lodged under Sections

20, 22 of N.D.P.S. Act, 1985.

As per the prosecution case, in Cr. Misc. No. 56276 of 2022 total recovery of 6.176 kg of *ganja* has been made and in Cr. Misc. No. 64407 of 2022 total recovery of 6.28 kg of *ganja* has been made, which is subject matter of the present case.

Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence. He further submits that petitioners are in custody since 16.07.2022 having clean antecedent. Counsel for the petitioner submits that charge sheet has already been filed without reviewing the F.S.L. report and petitioners are in custody for about 6 months.

Learned counsel for the State opposes the prayer for bail and submits that N.D.P.S. act is a special act and petitioner's bail application may be rejected.

Upon specific call that whether charge has been framed or not, counsel for the petitioners submits that charge has not framed in this case.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioners.

Liberty is hereby granted to the petitioners that they may renew their prayer for bail after framing of charge and Trial

Court is directed to release them after framing of charge, imposing its own conditions so that they may not evade from their appearance during trial.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

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