

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58132 of 2022

Arising Out of PS. Case No.-37 Year-2022 Thana- RAGHOPUR District- Vaishali

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RAMANUJ RAI SON OF CHULHAN RAI R/O VILLAGE- CHANDPURA,
P.S.- RAGHOPUR, DISTRICT- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shivjee Singh

For the Opposite Party/s : Mr.Ajay Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-01-2023 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with NDPS Case No. 12 of 2022, arising out of Raghopur P.S. Case No. 37 of 2022, registered for the offence punishable under Sections 20(b), (II)(C), 23(C) and 27(A) of the NDPS Act.

The allegation is regarding the informant having received secret information that the petitioner was engaging in selling of narcotic substance, whereafter the police force had conducted a raid at the house of the petitioner and upon search, 9.950 grams of ganja was



recovered.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 28.1.2022. The learned counsel for the petitioner has further submitted that the quantity of ganja, seized from the house of the petitioner, is much less than the commercial quantity specified in the schedule notified under the provisions of the NDPS Act, 1985, hence, the petitioner be granted the privilege of bail, considering his period of incarceration.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the petitioner is having a clean antecedent, he is languishing in custody since about one year



and the quantity of ganja, seized from the house of the petitioner, is much less than the commercial quantity defined in the schedule notified under the provisions of the NDPS Act, 1985 i.e. 20 kg., I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-Ist, Vaishali at Hajipur in connection with NDPS Case No. 12 of 2022, arising out of Raghopur P.S. Case No. 37 of 2022.

(Mohit Kumar Shah, J)

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