

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58575 of 2022**

Arising Out of PS. Case No.-90 Year-2022 Thana- RAMGARH District- Kaimur (Bhabua)

ASHOK SAH @ ASHOK KUMAR SON OF SARWJIT SAH @ SARVJIT
GUPTA R/O VILLAGE- DADAR, P.S.- MOHANIA, DISTRICT- KAIMUR
AT BHABUA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate
For the Opposite Party/s : Mr. Rina Sinha, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 16-01-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Ramgarh P.S. Case No. 90 of 2022 for the offence registered under Sections 8(c), 20(b)(ii)c, 27(A) of the N.D.P.S. Act.

The informant alongwith the police force had raided the house of the co-accused person, namely, Ram Prasad Ram and 72 kg. of ganja was recovered. It is further alleged that upon interrogation the said co-accused person, namely, Ram Prasad Ram, had taken the name of his accomplices including that of the petitioner herein.



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 06.09.2022. It is further submitted that though the petitioner is an accused in 4 other criminal cases but he is stated to be on bail in 3 of them. It is next contended that the petitioner has been falsely implicated in the present case and neither he has been arrested from the spot nor any recovery of narcotic substance has been made from his possession. Lastly, it is submitted that the petitioner is ready and willing to abide by such conditions as may be deemed fit and proper to be imposed by this Court for the purposes of grant of bail.

Per contra, the learned A.P.P. 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 neither any narcotic substance has been recovered from the conscious possession of the petitioner nor from his house and, moreover, he has also not been arrested from the place of occurrence, though I deem it fit and proper to admit the petitioner to the privilege of bail, however, subject to certain conditions.

Accordingly, the petitioner, above named, is directed to be released on bail 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-cum-Special Judge, Kaimur at Bhabua in connection with Ramgarh P.S. Case No. 90 of 2022.

It is further directed that the petitioner would mark his attendance before the concerned Officer In-Charge of the concerned Police Station at 10:00 A.M. on every Monday of the week, starting from the day he is released from custody and in the event of his failure to do so on two consecutive occasion, the present privilege of bail shall stand cancelled automatically and the petitioner shall be



taken into custody forthwith.

(Mohit Kumar Shah, J)

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