

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60122 of 2022

Arising Out of PS. Case No.-294 Year-2021 Thana- SURSAND District- Sitamarhi

Indal Rai Son Of Late Brahmdeo Rai Resident Of Village- Kurthaiya, P.S.-
Bajpatti, District- Sitamarhi

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devendra Kumar
For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 23-02-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application
for grant of regular bail in a case registered for the
offences punishable under Sections 8/20(b)(ii)(c)/22 of
N.D.P.S. Act.

It is a case of recovery of 60 kgs of Ganza like
N.D.P.S. substance from a Scorpio vehicle bearing
registration No. HR-26BD-6056.

It is submitted by learned counsel for the
petitioner that the petitioner is innocent and he has
falsely been implicated in the present case. Name of



petitioner sprang up in this case on the basis of confessional statement of co-accused, namely, Umesh Kumar, who is alleged to be the owner-cum-driver of the aforementioned Scorpio, before the police, which has no evidentiary value in the eye of law. Nothing has been recovered from the possession of the petitioner. He has no concern either with the co-accused or with the seized contraband substance. Moreover, the petitioner is languishing in judicial custody since 13.06.2022.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Sursand P.S. Case No. 294 of 2021 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction



of the learned Additional District Judge III-cum-Special
Judge, (NDPS Act), Sitamarhi.

(Sunil Kumar Panwar, J)

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