

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63628 of 2022

Arising Out of PS. Case No.-229 Year-2022 Thana- MAJORGANJ District- Sitamarhi

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Dhiraj Rai Son Of Rambabu Rai R/O Village- Kuaari, P.S.- Mejorganj,
District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Birendra Kumar, Advocate

For the Opposite Party/s : Mr. Dr. Ajeet Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 24-02-2023 Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Majorganj P.S. Case No. 229 of 2022 registered for the offences punishable under Sections 8, 20(b)(ii) (B) of the NDPS Act.

As per the prosecution, the police personnel apprehended this petitioner from the alleged place and from his possession recovered 1.8 kg of narcotic material suspected to be *ganja*.

The main submissions advanced by Mr. Birendra Kumar, learned counsel for the petitioner are that the petitioner has fair and clean antecedent and as per the prosecution only 1.8 kg of

narcotic material believed to be *ganja* was allegedly recovered from the possession of this petitioner and the said recovered contraband is just slightly more than the small quantity and the petitioner has been languishing in jail since 06.08.2022 and he is a resident of India-Nepal border and always used to visit Nepal for purchasing household articles and his relative's house is also in Nepal country and when he was returning from Nepal then SSB personnel due to some ulterior motive arrested him with false allegation.

Mr. Dr. Ajeet Kumar, learned APP for the State has opposed the bail prayer.

In view of the facts, as stated above and mainly considering the petitioner's fair and clean antecedent and quantity of the alleged contraband, this Court is inclined to accept the bail prayer of the petitioner. Accordingly, let the petitioner named above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court in connection with Majorganj P.S. Case No. 229 of 2022.

(Shailendra Singh, J)

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