

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65860 of 2022

Arising Out of PS. Case No.-271 Year-2022 Thana- DELHA District- Gaya

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RAMJEE OJHA @ ANSHU KUMAR Son of Late Sudarshan Ojha Resident of Village- Badka Gaon, Chandwa, P.S.- Udvantnagar (Gajrajganj O.P.), District- Bhojpur (Aara), at present resident of Mohalla- Budhlal Bhagat, Gali No.-8, P.S.- Delha, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailesh Kumar

For the Opposite Party/s : Mr.Pushpa Sinha.1

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 25-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 8(C), 21(b), 25, 29 of the N.D.P.S. Act.

Prosecution case relates to recovery of one puriya/sachet ganja weighing about 25 grams from the possession of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner has no concern with the alleged recovery of contraband or with the co-accused persons. The alleged seized contraband is 25 grams



which comes under the purview of small quantity as per the N.D.P.S. Act. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Moreover, similarly situated co-accused namely, Abhishek Anand has already been granted Bail by this Court vide order dated 4.2.2023 passed in Cr. Misc. No. 58950 of 2022. It is further submitted that the petitioner is languishing in judicial custody since 20.8.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering 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 released on bail in connection with Delha P.S. Case No. 271 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Court of Sessions Judge-Cum-Special Judge, N.D.P.S. Act, Gaya.

(Sunil Kumar Panwar, J)

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