

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73262 of 2022

Arising Out of PS. Case No.-93 Year-2015 Thana- RAMGARHWA District- East Champaran

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UMESH SAH @ UMESH KUMAR Son of Kapildev Sah R/v- Tumariya tola,
Ward No. 1, Raxaul, P.S.- Raxaul, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Madhurendra Kumar,
	:	Mr. Manish Kr. Singh
For the Opposite Party/s	:	Mr. Dashrath Mehta,

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-03-2023 The petition has been taken up out of turn since the solemnization of marriage of petitioner's daughter is going to be held on 11.3.2023

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 20, 21, 22, 23, 27(A) and 29 of the N.D.P.S. Act.

As per prosecution case, after getting information, the informant along with police personnel reached at Middle School Inarwa and apprehended co-accused Dev Narain Sah and Sunain Mahto. On search, 590 gm contraband substance like smack was recovered from their possession.



Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Petitioner is not named in the FIR and he has falsely been implicated in this case on the basis of hearsay evidence. The petitioner has no concern with the alleged recovery of contraband substance or with the co-accused persons rather his name came into light on the basis of confessional statement of co-accused namely, Dev Narain Sah. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. The petitioner is languishing in judicial custody since 11.7.2022.

It is further submitted by learned counsel for the petitioner that his daughter's marriage is going to be solemnized on 11.3.2023.

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 Ramgarhwa P.S. Case No. 93 of 2015 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/ Special



Judge, East Champaran at Motihari.

Learned Court below is direct to verify the marriage
date of the petitioner’s daughter before accepting the bail bond.

(Sunil Kumar Panwar, J)

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