

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80894 of 2023

Arising Out of PS. Case No.-395 Year-2021 Thana- GARDANIBAG District- Patna

Chunnu Rai @ Suraj Son Of Lal Babu Rai Resident Of Village- Dhirachak,
Ps- Gardanibagh, Dist- Patna

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ram Jiban Pd. Singh, Advocate

For the Opposite Party/s : Mrs. Renu Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 21-12-2023 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in Gardanibagh P.S. case No. 395 of 2021 (Special Case No. 225 of 2021) instituted for the offences under Sections 413, 414, 419, 467, 468, 471, 120(B), 34 of the Indian Penal Code, Sections 20(ii)/22(ii) and 27 of the NDPS Act.

3. Prosecution allegation, in short, is that the informant received information that the accused persons are involved in buying and selling of liquor and on such information, when the police reached the place of occurrence, the accused persons started fleeing away but two were apprehended and on the statement of co-accused Golu Kumar, 100 gram ganja was recovered from the motorcycle of the petitioner.



4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 15.06.2023 and has got no criminal antecedent. The petitioner has falsely been implicated in the present case. No recovery has been made from the conscious possession of the petitioner. The name of the petitioner has come on the statement of co-accused Golu Kumar. It is alleged that 100 gram ganja has been recovered from the motorcycle of the petitioner. The same is under the ambit of small quantity. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Gardanibagh P.S. Case No. 395 of 2021, Spl. Case No. 225 of 2021.

(Rudra Prakash Mishra, J)

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