

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12270 of 2024

Arising Out of PS. Case No.-129 Year-2023 Thana- MEHSI District- East Champaran

Nand Gopal Sah @Painter Son Of Rajendra Prasad Resident Of Village-
Hindu Chakia Ps- Chakia, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramakant Sharma, Sr. Adv. Mr. Vikash Pankaj, Adv.
For the Opposite Party/s	:	Mr. Parmanand Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 26-04-2024 Heard learned Senior Counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in a case registered for
the offence punishable under Sections 8, 21(b), 22, 24, 27-A &
29 of the Narcotic Drugs and Psychotropic Substances Act,
1985.

3. As per the prosecution case, the police
intercepted one truck bearing registration of Nepal near NH28
highway on a road going toward Bhutaha Phokhar (village-
Chapra Gobind) from which 87 bottles x 100ml each of Onrex
Cough Syrup and 10 packets of ganja weighting total 112 kgs
and two mobile phones from two persons, namely, Prahlad
Khugri and Meeran Gumba. It is further alleged that the said



Meeran Gumba disclosed that one Chandeshwar Sad having mobile nos. 9955016753 & +9779815292406 has directed to supply the said contraband substance to the bearers of mobile no. 7258978985 of P.S. Mehshi and also to one 7488721306 i.e. the petitioner of P.S. Chakia.

4. Learned Senior Counsel for the petitioner submits that no such occurrence as alleged ever took place. The petitioner is quite innocent and has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that Chakia comes prior to Mehshi while coming from Nepal but nothing was delivered at Chakia whereas the truck with the entire consignment of contraband was seized at Mehshi. This amply suggest that the petitioner has nothing to do with the alleged seizure and is being falsely implicated. The petitioner has no criminal antecedent and has been languishing in custody since 14.12.2023.

5. Learned APP for the State opposed the bail petition.

6. Considering the facts aforesaid as well as the fact that the petitioner has been made accused in the present case only on the basis of confessional statement of apprehended



person and no contraband article has been recovered from conscious possession of the petitioner, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Mehsi P.S. Case No. 129 of 2023.

(Anjani Kumar Sharan, J)

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