

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6872 of 2024

Arising Out of PS. Case No.-405 Year-2023 Thana- RAMGARH District- Kaimur (Bhabua)

Awdhesh Ram @ Avadhesh Ram Son of Late Deonath Ram R/O-Ramgarh
Ward No. 8, P.S.-Ramgarh, Distt.-Kaimur At Bhabhua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kiran Kumarisharma, Adv.

For the Opposite Party/s : Mr.Sunil Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 13-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Ramgarh P.S. Case No. 405 of 2023 instituted for the offences
under Sections 8(c)/20(b) (ii)B/27A/29 of the N.D.P.S. Act.

3. As per prosecution case, the police, on receipt of
secret information, made a raid at the place of occurrence where
the accused was performing the work of show-making. On
seeing the police, he tried to flee away from there but, was
apprehended by the police. He disclosed his name as Awdhesh
Ram/ the petitioner. On search, the police recovered Ganja
weighing 01 KG wrapped in a plastic paper and seized the same.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case. The petitioner is a poor shoe-maker. He submits that the quantum of the seized Ganja comes under the category of small quantity. Hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. There is no compliance of Section 42 and 50 of the N.D.P.S. Act. The petitioner has no criminal antecedent and is languishing in judicial custody since 19.10.2023.

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

6. Considering the entire facts and circumstances of the case and taking into account the period of custody of the petitioner as also the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Ramgarh P.S. Case No. 405 of 2023.

(Rudra Prakash Mishra, J)

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