

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7480 of 2024

Arising Out of PS. Case No.-744 Year-2023 Thana- RAMKRISHNANAGAR District- Patna

MANOJ KUMAR Son of Mr. Niranjan Yadav Resident of Village-Nandlal Chapra, P.S.-Ramkrishna Nagar, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate
Ms. Vaishnavi Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 13-02-2024 Heard learned counsel appearing on behalf of the parties.

2. The petitioner seeks bail in connection with Ramkrishna Nagar P.S. Case No.744 of 2023 registered for the offence under Sections 8, 20(b)(ii), (B), 25 and 29 of the Narcotic Drugs and Psychotropic Substance Act, Section 30(a) of the Bihar Prohibition and Excise Act and Section 25(1-b)a, 26 and 35 of the Arms Act.

3. As per FIR, there is recovery of total 6.3



K.Gs. of contraband like Ganja, 2.70 litres of illicit liquor and one country made pistol from the house of the petitioner.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been implicated in the present case. It is submitted that alleged recovery was not made from either physical conscious possession of the petitioner or from his house. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 11.11.2023. It is further submitted that it appears from the FIR that there is violation of mandatory provision for search, seizure, sealing or sampling as envisaged under the Cr.P.C., N.D.P.S. Act, Excise Act and Arms Act.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances and submissions made on behalf of the petitioner, let the petitioner, above named, is directed to be released on bail, *after framing of the charge*, in connection with Ramkrishna Nagar P.S. Case No.744 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge (NDPS), Patna.



7. However, the trial court is directed to conclude the proceeding of framing of charge according to law within a period of 15 (fifteen) days from the date of receipt of a copy of this order.

(Ramesh Chand Malviya, J)

S.Katyayan/-

U		T	
---	--	---	--

