

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11462 of 2024**

Arising Out of PS. Case No.-337 Year-2018 Thana- BAHADURGANJ
District- Kishanganj

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Ramjee Singh @ Ramjee Mahto @ Ramji Kumar Singh Son of Om Prakash
Singh Resident of Village - Patedha P.S. - Khaira, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agarwal, Sr. Adv.
Mr. Ram Prawesh Kumar, Adv.
For the Opposite Party/s : Mr. Pushpa Sinha.1, APP

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

2 26-02-2024 Heard learned senior counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in connection with
Bahadurganj P.S. Case No. 337 of 2018 (Special Case No. 16A of
2018) registered for the offence under Section 8, 20(b)(ii)(C) of
the N.D.P.S. Act.

3. As per the F.I.R. and seizure list, altogether 150 Kg. of
Ganja has been recovered from the Pick Up vehicle bearing
registration No. WB 63A-4992.

4. Learned senior counsel appearing for the petitioner
submits that the petitioner is innocent and has falsely been
implicated in this case. He further submits that, in fact, nothing
incriminating has been recovered from the conscious possession



of the petitioner. He further submits that the name of the petitioner transpired in this case on the basis of confessional statement of the co-accused, namely, Anjan Barman and Debu Rajjak. Save and except the confession of the co-accused, no cogent material has surfaced against the petitioner during course of investigation. Moreover, co-accused, Biswanath Sarkar has already been granted bail by a co-ordinate Bench of this Court vide order dated 06.12.2022 passed in Cr. Misc. No. 3908 of 2022 and the case of this petitioner stands on better footing to that of the co-accused. The petitioner is rotting in judicial custody since 18.09.2023.

5. Learned A.P.P. for the State opposed the prayer for bail of the petitioner and submits that the petitioner has one criminal antecedent other than the present one.

6. From bare perusal of the First Information Report as well as the seizure list, it appears that nothing has been recovered from the conscious possession of the petitioner and the name of the petitioner has surfaced in this case on the basis of confessional statement of the co-accused, who have been apprehended from the spot. Taking into consideration of the fact that the co-accused, namely, Biswanath Sarkar, who is said to be the liner of the offence, has already been granted bail by a co-ordinate Bench of this Court vide order dated 06.12.2022 passed in Cr. Misc. No. 3908 of 2022 and the case of the petitioner stands



on better footing to that of the co-accused, I am inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is allowed.

7. Let the, above named, petitioner be released on bail, ***after framing of Charge***, 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 -cum- Special Judge, (NDPS Act), Kishanganj in connection with Bahadurganj P.S. Case No. 337 of 2018 (Special Case No. 16A of 2018).

8. 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. However, it is made clear that if the charge-sheet has not been submitted then the above name petitioner shall be released on bail on furnishing bail bond with further condition that the petitioner shall present physically on each and every date before the Trial Court till conclusion of the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

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