

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18162 of 2024

Arising Out of PS. Case No.-188 Year-2023 Thana- KANHAULI District- Sitamarhi

Ranjan Kumar @ Ranjan Prasad S/o Sri Sanahi Prasad @ Ram Sanahi Sah
R/o Vill - Jawahi, P.S. - Sursand, Dist. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh

For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 04-04-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner has prayed for regular bail in a

case registered for the offence punishable under Sections 8,

20(b)(ii)(B) of the N.D.P.S. Act.

3. As per prosecution case, the petitioner and co-

accused Munish Kumar were apprehended on the spot with

motorcycle bearing Reg. No. BR-30AH-9939 and from their

possession 1.9 Kg. Ganja like contraband substance was

recovered.

4. Learned counsel for the petitioner submits that

the petitioner is innocent and has committed no offence. He



has falsely been implicated in this case. Petitioner has no concern with the alleged recovery and recovered ganja like substance is lesser than the commercial quantity as per NDPS Act. It is further submitter that motorcycle in question belongs to the family of petitioner and is registered in the name of the mother of petitioner. Both the seizure list witnesses are police personnel which is complete violation of Section 100 of Cr.P.C. It is further submitted that the provision of N.D.P.S. Act has not been followed properly. Petitioner has got no criminal antecedent and he is languishing in judicial custody since 13.12.2023. Similarly situated co-accused Munish Kumar has been granted bail vide order dated 22.02.2024, passed in Cr. Misc. No. 11132 of 2024 by this Court.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody of the petitioner, this court is inclined to enlarge the petitioner on bail **after framing of charge, if**



not framed. The above named petitioner is directed to be released on bail in connection with Kanhauli P.S. Case No.188 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, N.D.P.S., Sitamarhi.

(Sunil Kumar Panwar, J)

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