

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30969 of 2024

Arising Out of PS. Case No.-235 Year-2023 Thana- SURYAPURA District- Rohtas

Chandan Paswan @ Chandan Ram, Aged about 28 years, Male, Son Of
Dineshwar Ram @ Dineshwar Paswan, Resident of Village- Dharamgatpur,
P.S.- Suryapura , District -Rohtas (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Advocate
Mr. Rajani Kant Singh, Advocate
For the Opposite Party/s : Mr. Akbar Ali, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 25-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
N.D.P.S. Case No. 04 of 2024 arising out of Suryapura P.S.
Case No.235 of 2023 instituted for the offences punishable
under Sections 20(b) and 22(b) of the N.D.P.S. Act.

3. As per the prosecution case, on secret informant
police reached at the place of occurrence and arrested three
accused persons from there. On search, total 8.43 mg. Heroin
like narcotic substance, cash of Rs. 16360/-, four mobiles, one
key of motorcycle and one T.V.S. scooter were recovered
from their possession.



4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to his criminal history as mentioned in para 3 of the bail petition. He has no concern with the alleged recovery. Neither the petitioner was arrested on the spot nor anything has been from his conscious possession. His name came in this case on the basis of disclosure made by the apprehended co-accused Munshi Giri which has no evidentiary value in the eye of law. Both the seizure list witnesses are police personnel which is complete violation of Section 100 of Cr.P.C. the other co-accused namely, Santosh Pandey has already been granted bail by this Court vide order dated 23.02.2024 passed in Cr. Misc. No. 11526 of 2024. Moreover, petitioner is languishing in judicial custody since 30.01.2024.

5. Learned APP for the State has vehemently opposed the prayer for bail.

6. Considering the facts and circumstances of the case and submissions made on behalf of the petitioner as well as period of custody of the petitioner, let the above named petitioner 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 the learned 5th Additional Sessions Judge, Rohtas at Sasaram in connection with N.D.P.S. Case No. 04 of 2024 arising out of Suryapura P.S. Case No.235 of 2023.

(Ramesh Chand Malviya, J)

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