

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38226 of 2024

Arising Out of PS. Case No.-38 Year-2024 Thana- JOGBANI District- Araria

Sandeep Kumar Son of Raj Kumar @ Raj Kumar Sah Resident of village -
Kaluwa Baijnathpur, P.S.- Jogbani, Dist.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 19-09-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Jogbani (Bathnaha) P.S. Case No. 38 of 2024 dated 22.02.2024 registered for the offences punishable u/ss 8, 20 (b) (ii) (B) of Narcotics Drugs & Psychotropic Substance Act.

3. As per the prosecution case, total 15 kgs. ganja kept in two bags were recovered from the two motorcycles which were being driven by the co-accused persons. The allegation against the petitioner is that he was assisting the co-accused persons.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner was the driver of the third motorcycle bearing registration no. BR 38 AE 8076, from which no such



contraband was recovered. It is further submitted that the seized contraband is less than the commercial quantity. Nothing has been recovered from the conscious possession of the petitioner. The co-accused person has already been granted bail by this Court vide order dated 28.08.2024 passed in Cr. Misc. No. 46246 of 2024. The petitioner has got clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 22.02.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Araria in connection with Jogbani (Bathnaha) P.S. Case No. 38 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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