

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41505 of 2024

Arising Out of PS. Case No.-384 Year-2018 Thana- PURNEA SADAR District- Purnia

Makhan Chaudhary @ Raj Kumar Chaudhary S/o Ramanand Chaudhary @
Shivanand Chaudhary R/o vill - Rambag, P.s. - Sadar, Distt. - Purnea

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Bidhu Ranjan, Adv.

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

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

ORAL ORDER

2 19-06-2024 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 Sadar P.S. Case No. 384 of 2018 dated 10.07.2018 registered for the offences punishable u/ss 20 and 22 of Narcotic Drugs and Psychotropic Substance Act.

3. As per the prosecution case, on secret information, police raided the betel shop of the petitioner and the co-accused person. On seeing the police party, they managed to escape. In presence of witnesses the shop of accused persons was searched, from where 270 small packets of ganja was recovered and 9.600 Kg. ganja was recovered from the joint house of the petitioner and the co-accused person, Mrityunjay Chaudhary.

4. Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in this case. The petitioner is not apprehended on the spot as the betel shop is in the control of the co-accused, Mrityunjay Chaudhary. It is further submitted that the seized contraband is less than the commercial quantity. The co-accused person has already been granted regular bail by the Coordinate Bench of this court vide order dated 18.07.2019 passed in Cr. Misc. No. 33618 of 2019. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 14.04.2024.

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, Purnea in connection with Special (NDPS Act) Case No. 10 of 2018 arising out of Sadar P.S. Case No. 384 of 2018.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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