

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44312 of 2024

Arising Out of PS. Case No.-744 Year-2023 Thana- RAMKRISHNANAGAR District- Patna

Rahul Kumar Son of Gigal Ray Resident of Village - Bhairapur, P.S. - Bidupur, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyamal Prakash, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 29-11-2024 Heard learned counsel for the petitioner and

learned APP for the State

2. The petitioner apprehends his arrest in connection with Ram Krishna Nagar P.S Case No. 744 of 2023 registered for the offences punishable under Sections 8, 20 (b), (ii), (B), 25, 29 of the N.D.P.S Act and 30(a) of the Bihar prohibition and Excise Act 2016 and Section 25(1-b)a, 26, 35 of the Arms Act.

3. As per the prosecution case, in brief, is that on 10.11.2023 at about 01:10 hours, when the informant along with other police personnel raided a house on the basis of secret information that contraband ganja and liquor has



been stored there, they apprehended a person who disclosed his name as Manoj Kumar. When the accused and the said room were searched, a country made pistol was recovered from his waist and 6.30 kgs of ganja along with 2.70 litres of liquor was recovered therein. He disclosed that he along with his father Niranjan Yadav and associate Golu Kumar procured the ganja from one Rahul Kumar and sell the same. Seizure list was prepared. Accordingly, FIR was registered.

4. Learned counsel for the petitioner submits that petitioner has been falsely been implicated in this case. Petitioner is not arrested on the spot. Name of the petitioner surfaced from the confessional statement of the co-accused. No incriminating article has been recovered from the conscious possession of the petitioner. It is next submitted that petitioner has got no criminal antecedent as stated in para 3 of the bail petition.

5. Learned counsel for the State opposes the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, submissions made on behalf of



the petitioner, let the above named petitioner be released on bail in the event of his arrest or surrender before the trial court within a period of six weeks from today 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) Patna in connection with Ram Krishna Nagar P.S Case No. 744 of 2023 subject to the condition laid down under Section 438(2) of Cr.P.C.

(Ramesh Chand Malviya, J)

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