

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48266 of 2024

Arising Out of PS. Case No.-454 Year-2022 Thana- KISHANGANJ District- Kishanganj

1. Golu Kumar S/o- Lalu Ray Mohalla- Kachauri Gali Near Chhoti Mandir
Patna City PS- City Chowk District- Patna
2. Santosh Kumar S/o- Late Ram Pravesh Ray Village- Kaladiyara PO
-Bakhtiyarpur PS- Salimpur District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Niraj Kumar

For the Opposite Party/s : Mr.Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-07-2024 Heard learned counsel for the petitioners and

learned APP for the State.

Earlier the bail applications of the petitioners were
rejected vide order dated 28.08.2023, passed in Cr.
Misc. No. 37532 of 2023 and order dated 30.08.2023,
passed in Cr. Misc. No. 24627 of 2023 respectively.

The petitioners have filed the instant application
for grant of regular bail in a case registered for the
offences punishable under Sections 420 468 of the
Indian Penal Code and Sections 8/20(b)(ii)(c), 22(c), 29
of NDPS Act.



It is a case of recovery of 62.740 kgs of Ganja from a Hyundai Verna Car and three persons including the petitioners were arrested.

It is submitted by learned counsel for the petitioners that the petitioners are innocent and they have committed no offence. They have falsely been implicated in the present case. The provision of Section 50 of the N.D.P.S. Act has not been followed in this case. Moreover, the petitioners are languishing in judicial custody since 22.11.2022 and 23.11.2022 respectively. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent. Similarly situated co-accused, namely, Kiran Lohar has already been granted bail vide order dated 26.04.2024, passed in Cr. Misc. No. 22618 of 2024.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and



circumstances of the case *as well as period of custody*,
this Court is inclined to enlarge the petitioners on bail.
The above named petitioners are directed to be enlarged
on bail in connection with kishanganj P.S. Case No. 454
of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees
ten thousand) each with two sureties of the like amount
each to the satisfaction of the learned Additional
Sessions Judge I-cum-Special Judge (NDPS Act),
Kishanganj.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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