

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53754 of 2024

Arising Out of PS. Case No.-21 Year-2022 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Darbhanga

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Ram Praesh Roy S/O Kamal Roy R/O Village-Jethuli,PS-Nadi,Distt- Patna,
originally belongs to village Jagdishpur,PS- Raghapur,Distt- Patna

... .. Petitioner/s

Versus

The Union Of India Through The N.C.B., Patna Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Ashok Kumar Mishra
For UOI	:	Mr. Arvind Kumar, C.G.C.
		Mr. Awdhesh Kr. Pandey, Sr. C.G.C.
For the Opposite Party/s :		Mr.Dr. K.N Singh (A.S.G.)

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 08-08-2024 Heard learned counsel for the petitioner and learned
counsel for the UOI as well as learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Suppl. (NCB Patna) Case No. 01 of 2022 arising out of NCB Crime No. 21 of 2022 dated 09.10.2022 registered for the offences punishable u/s 8/20(b)(ii)(C)/25/29 of the NDPS Act.

3. As per the prosecution case, total 1459.2 kgs. of Ganja was recovered from the truck.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is neither the owner nor the driver of



the said vehicle. The name of the petitioner has sprung up in the confessional statement of the apprehended co-accused, Sunil Kumar Ray @ Sikandar Ray which has no evidentiary value in the eye of law.. Nothing has been recovered from the conscious possession of the petitioner. There is nothing except confessional statement against the petitioner. Similarly situated co-accused has already been granted bail by this court vide order dated 08.05.2024 passed in Cr. Misc. No. 77278 of 2023. The petitioner has four criminal antecedents and out of which three cases are of similar nature and he was acquitted in one criminal case and he is on bail as stated in para 3 of the bail petition. The petitioner is in custody since 25.03.2024.

5. Learned counsel for the UOI as well as learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the petitioner is also accused in four more criminal cases and out of which three cases are of similar nature and he is a kingpin and habitual offender in transporting contraband material.

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, Darbhanga in connection with Suppl (NCB Patna) Case No. 01 of 2022 arising out of NCB Crime No. 21 of 2022, with a condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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