

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53786 of 2023

Arising Out of PS. Case No.-57 Year-2022 Thana- AURAI District- Muzaffarpur

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RAGHUVVEER RAI Son of Satya Narayan Yadav Resident of Village-
Madhopur, Police Station-Aurai, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gyan Prakash

For the Opposite Party/s : Mr. Uday Chand Prasad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 02-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 20 and 22 of the
NDPS Act.

As per allegation in the FIR, on getting secret
information police party proceeded towards Janadh Bagmati
Dam and intercepted an Alto Car, without registration number,
in which two persons were sitting. On seeing the police party,
both the accused persons managed to escape. On search, 83 Kg.
300 gram ganja like substance were recovered.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has been falsely implicated in this Case. Petitioner



has no concern with the alleged vehicle or with the recovered contraband material. He was not apprehended on spot. There is complete violation of provision of Section 50 of the NDPS Act. No consistent evidence has come against the petitioner to show his involvement in the present case. Charge has already been framed against the petitioner so there is no chance of tampering with the prosecution evidence. Petitioner is languishing in judicial custody since 13.07.2023. Petitioner has got no criminal antecedent and languishing in judicial custody since 13.07.2023.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge, Muzaffarpur in connection with Aurai P.S. Case No. 57 of 2022.

(Sunil Kumar Panwar, J)

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