

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59403 of 2024

Arising Out of PS. Case No.-140 Year-2017 Thana- PATNA CITY CHOWK District- Patna

Kedar Roy @ Kedar Rai, Son of Jogi Rai, R/V- Mohalla- Tedhi Ghat, P.S.-
Khajekala, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ganesh Prasad Singh, Advocate
For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 13-09-2024

Heard Mr. Ganesh Prasad Singh, the learned
Advocate for the petitioner and the learned APP for the
State.

2. The petitioner seeks bail in anticipation of
his arrest in connection with Patna City Chowk P.S. Case
No. 140 of 2017 dated 25.05.2017 instituted for the
offences under Sections 379, 427, 186, 332, 353, 504,
411, 145 and 149 of the Indian Penal Code and
Sections 20, 25(a) and 27 of the Narcotic Drugs and
Psychotropic Substances Act, 1985.



3. The petitioner though has been named in the FIR, but his implication in this case is based on confession of some of the arrested accused persons, all of whom have been granted bail either by the Court below or by this Court.

4. Nothing has been recovered from the possession of the petitioner.

5. The learned Advocate for the petitioner has produced for inspection of this Court several of the bail orders which only indicate that accused persons created disturbance for the police party and from the houses of some, *ganja* plants were recovered.

6. The submission on behalf of the petitioner is that even assuming the entire allegation to be correct, none of the offences against the petitioner, either under the IPC or under the NDPS Act, could be said to have been made out.

7. Apart from this case, only one other case



has been lodged against the petitioner, but only after the lodging of the present case. In that case also, the petitioner is on bail.

8. Considering the afore-noted facts, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the Court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge/Special Judge (NDPS Act), Patna, in connection with Patna City Chowk P.S. Case No. 140 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

Sauravkrsinha/
Rajesh-

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