

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61248 of 2024

Arising Out of PS. Case No.-369 Year-2024 Thana- ARA NAGAR District- Bhojpur

1. Dinesh Kumar Son of Jai Prakash Rai Resident of Village- Lodipur, P.S.- Maner, Dist.- Patna
2. Chandan Kumar Son of Ram Sahay Ray @ Ram Sahay Rai Resident of Village- Lodipur, P.S.- Maner, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rohit Kumar

For the Opposite Party/s : Mr.Bharat Bhushan

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 04-09-2024 Heard learned counsel for the petitioners as well as
learned APP for the State.

2. In this case, the petitioners are seeking regular bail in connection with NDPS Special Case No. 22 of 2024 arising out of Town P.S. Case No. 369 of 2024, registered for the offences punishable under Sections 8(c), 22(b), 25, 29 of the NDPS Act, 1985.

3. As per allegation, on 19.06.2024, the informant along with police personnel, on the basis of a secret information, reached near the house of one Umesh Mali wherefrom two persons, on seeing the police, tried to flee away but got apprehended. On search, from the pocket of petitioner no. 1 Dinesh Kumar, 25 pouches containing 15 gram heroine like



substance recovered and Dinesh Kumar revealed that he and petitioner no. 2, Chandan Kumar sell heroine in Gausganj.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated. He has further submitted that seizure list was prepared at the police station. The petitioners are the persons of clean antecedents and they are under custody since 20.06.2024. He has also submitted that nothing was recovered from the possession of petitioner no. 2.

5. On the other hand, learned APP has opposed the prayer for bail.

6. Considering the above-mentioned facts and circumstances, I am not inclined to grant bail to the petitioner no. 1. Accordingly, his prayer for bail is **rejected**.

7. So far as petitioner no. 2 is concerned, nothing was recovered from the possession of the petitioner no. 2, let him, be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Court of District Judge, Ara in connection with NDPS Special Case No. 22 of 2024 arising out of Town P.S. Case No. 369 of 2024, subject to the condition that the petitioner shall cooperate in the disposal of trial and make himself available as



and when required by the court.

8. The learned court below is directed to conclude the trial within a period of six months. If the trial is not concluded within the stipulated period, the petitioner no. 1 may renew his prayer for bail.

(Nawneet Kumar Pandey, J)

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