

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67421 of 2023

Arising Out of PS. Case No.-7 Year-2019 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Patna

=====

Baijnath Ray @ Baidya Nath Rai S/O Banwari Ray R/O Village- Mohanpur,
Ps. Raghapur, Dist. Vaishali

... .. Petitioner

Versus

The Union Of India Through Ncb, Patna Zonal Unit, Patna, Bihar Bihar,
Patna

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra, Advocate

For the Opposite Party/s : Mr.Awadhesh Kr.Pandey, Sr.CGC

Mr. Arvind Kumar, CGC, Mr Lokesh, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 6 03-05-2024 Heard learned counsel for the petitioner and the NCB.
2. The petitioner seeks regular bail in a case registered for the offence punishable under sections 8, 20 and 29 of the NDPS Act.
3. As per the prosecution case, on the basis of secret information, the informant intercepted two persons, namely Dinesh Yadav and Raj Kapoor Ray from truck bearing Registration No. 06GD 2993. When the truck was checked, 750 kilograms Ganja contained in 50 packets were recovered. Thereafter, two persons driving and travelling in the truck were arrested. The truck was driven by Dinesh Yadav, Khalasi was Raj Kapoor Ray.
4. Learned counsel appearing for the petitioner submits that the petitioner is neither owner nor driver of the vehicle in question. Petitioner's name has come in this case during course of investigation on the basis of confessional statement of co-accused. No incriminating article has been recovered from the conscious possession of the petitioner. petitioner is innocent and has falsely been implicated in this



case. Petitioner claims clean antecedent. Charge sheet has already been filed. Co-accused, with similar allegation, have already been allowed pre-arrest bail by this Court vide paragraphs 16 and 17 of the bail petition. Petitioner is in custody since 6.2.2023.

5. Learned counsel for the Narcotics Control Bureau (NCB) opposes the prayer for bail.

6. Considering the aforesaid facts of the case, prayer for regular bail of the petitioner is allowed. Let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge XXVIII, Patna in Special NDPS Case No. 31A/2019 arising out of NCB/PZU/V/07/2019.

(Prabhat Kumar Singh, J)

Shashi

U		T	
---	--	---	--

