

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75956 of 2024

Arising Out of PS. Case No.-274 Year-2024 Thana- PALASI District- Araria

Ranjit Kumar Sah Son of Mahabir Sah Resident of village- Maldwar ward no
10, Police station- Palasi, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate
For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 23-10-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Palasi
PS Case No. 274 of 2024 instituted for the offences under
Section 30(a) of the Bihar Prohibition and Excise Act and
Sections 20(b)(ii)(c), 22(b) of the NDPS Act.

3. The prosecution case, in short, is that 5.1 liters
nepali liquor was recovered from the house of one Ranjit
Yadav. It is also alleged that there is recovery of 4.8 litres of
codeine syrup from the house of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from



the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. It is submitted that recovered contraband falls within the ambit of small quantity. Hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. The petitioner is in custody since 27-08-2024 and has got four criminal antecedents. There is no compliance of Section 100 of Cr.P.C.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Palasi PS Case No. 274 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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