

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76289 of 2023

Arising Out of PS. Case No.-241 Year-2023 Thana- CHENARI District- Rohtas

Satyendra Pandey S/O Vijay Pandey Village- Chenari Dih, Ps. Chenari, Dist. Rohtas

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 78630 of 2023

Arising Out of PS. Case No.-241 Year-2023 Thana- CHENARI District- Rohtas

Pintu Chandravanshi @pintu Singh Son Of Late Ramashish Singh Resident Of Village- Jalalpur, Ps- Karamchat Sabar, Distt- Kaimur At Bhabua

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 76289 of 2023)
For the Petitioner/s : Mr.Shashikant
For the Opposite Party/s : Mr.Umeshanand Pandit
(In CRIMINAL MISCELLANEOUS No. 78630 of 2023)
For the Petitioner/s : Mr.Saroj Kumar
For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-01-2024 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners have filed the instant application for
grant of regular bail in a case registered for the offences
punishable under Sections 8/20(b)(ii)(B) of N.D.P.S. Act.

As per the allegation in F.I.R, 10 kg of Ganza like



narcotics substance has been recovered from a Tempo bearing Reg. No. BR-45P-5012. Petitioners are apprehended on spot.

It is submitted by learned counsel for the petitioners that the petitioners are innocent and they have falsely been implicated in the present case. They have no concern with the alleged recovered contraband. Nothing incriminating has been recovered from the conscious possession of the petitioners. The alleged recovered Smack like narcotics substance is lesser than commercial quantity as per N.D.P.S. Act. There is no independent witness of the alleged seizure. Petitioner in Cr. Misc No. 76289 of 2023, namely, Satyendra Pandey was passenger and petitioner in Cr. Misc. No. 78630 of 2023, namely, Pintu Chandravanshi was driver of the aforesaid Tempo. Moreover, the petitioners are languishing in judicial custody since 08.08.2023. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.

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



Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail, **after framing of charge, if not framed**, in connection with Chenari P.S. Case No. 241 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Rohtas at Sasaram.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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