

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81053 of 2023

Arising Out of PS. Case No.-409 Year-2023 Thana- DINARA District- Rohtas

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DHANANJAY KUMAR @ DHANANJAY KUMAR SINGH SON OF SRI
LALI SINGH R/O VILLAGE- MITHOPUR, P.S.- INDRAPURI, DISTRICT-
ROHTASH

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 81858 of 2023

Arising Out of PS. Case No.-409 Year-2023 Thana- DINARA District- Rohtas

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Anup Kumar Son Of Sri Madan Singh Resident Of Village -DILIYAN, Ps-
Dihri (MUFFASIL), District -ROHTAS

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 82742 of 2023

Arising Out of PS. Case No.-409 Year-2023 Thana- DINARA District- Rohtas

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Sonu Kumar S/O Vashisth Yadav @ Bashisth Yadav Resident of Village-
Mahrer @ Mahrodh, P.S.- Natwar, District- Rohtas (Sasaram)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 81053 of 2023)

For the Petitioner/s : Mr. Diwakar Prasad Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

(In CRIMINAL MISCELLANEOUS No. 81858 of 2023)

For the Petitioner/s : Mr. Diwakar Prasad Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

(In CRIMINAL MISCELLANEOUS No. 82742 of 2023)

For the Petitioner/s : Mr. Durgesh Nandan, Advocate

For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

4 18-03-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks regular bail in connection with
Dinara P.S. Case No. 409 of 2023 registered for the offence
under Sections 21(b), (ii) (c) 22, 25, 27(a) & 29 of NDPS Act.

3. As per F.I.R. the allegation against the petitioner is that
on 21.08.2023 at about 16.30 'o' clock the informant got secret
information that Ganja is coming to Dinara by a red colour
Honda City vehicle from the Sasaram. On the said information,
the informant constitute a raiding party and reached at the place
of occurrence. Then, the police team saw a Honda City vehicle
is coming from Baraon Mor towards Dinara and indicated to
stop the said vehicle but the accused persons including the
petitioners have stopped the said vehicle on some distance and
started to flee away. On chase, they were caught hold. On search
about 30.26 Kg. Ganja was recovered from the said car and also
total cash of Rs. 1,99,500/- was recovered from the car. Some



mobiles of different companies were also recovered from the possessions of the accused persons including the petitioners. Thereafter, the informant prepared seizure-list and seized the recovered articles. Hence, this case lodged case under the aforesaid sections against the accused persons.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case with ulterior motive. Petitioner is not driver nothing has been recovered from the possession of the petitioner and there is no independence witness to the seizure list. No signature of petitioner, namely, Anup Kumar was found on the seizure list. Petitioner have no criminal antecedents. They are in custody since 22.08.2023.

5. However, learned APP for the State vehemently opposed the prayer for regular bail.

6. On perusal of the FIR, seizure list, FSL report and impugned order, it appears that on the basis of report of Ajay Kumar, Sub Inspector cum ASHO, Dinara, FIR was registered under Sections 20(b)(ii), (c) 22, 25, 27(a) & 29 of NDPS Act against 5 accused persons including the petitioners, It appears that total 30.26 Kg ganja was recovered from the said car and also total cash of Rs. 1,99,500/- was recovered, so I am not



inclined to grant bail to these petitioners.

7. Accordingly, the prayer for bail of these petitioners stands rejected.

(Ramesh Chand Malviya, J)

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