

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82801 of 2024

Arising Out of PS. Case No.-165 Year-2024 Thana- RAXAUL District- East Champaran

1. Abhishek Giri @ Ritesh Giri Son of Ram Babu Giri Resident of Village - Bishambra, P.S.- Gopalpur, District- West Champaran. At Present Resident of Village- Tumariya Tola Ward No. 05, P.S. - Haraiya (O.P.), Raxaul, District- East Champaran.
2. Aman Kumar Son of Awdhesh Ram R/O Vill.- Sundarpur Road, Ward No. 04, P.S. - Haraiya (O.P.), Raxaul, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar
For the Opposite Party/s : Mr. Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 04-12-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with N.D.P.S. G.R. Case No. 44 of 2024 arising out of Raxaul (Haraiya) P.S. Case No. 165 of 2024 dated 11.05.2024 registered for the offences punishable under Sections 8C, 21b, 29 of the N.D.P.S. Act.

3. As per the prosecution case, total 48.33 grams of smack like substance was recovered out of which, 28.55



grams of smack like substance was recovered from the right pocket of the pant of the petitioner, 6.74 grams of smack like substance was recovered from the petitioner no. 2, Aman Kumar and 13.04 grams of smack like substance was recovered from the petitioner no. 1, Abhishek Giri.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The seized contraband is less than commercial quantity. The name of the petitioners has transpired in this case merely on suspicion. The petitioners have no concern with the alleged recovery. The petitioners have one criminal antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 12.05.2024.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Sessions Judge/Special Judge,



East Champaran, Motihari in connection with N.D.P.S. G.R.
Case No. 44 of 2024 Raxaul (Haraiya) P.S. Case No. 165 of
2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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