

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79483 of 2023

Arising Out of PS. Case No.-249 Year-2018 Thana- JOGBANI District- Araria

Hem Nandan Jha Son Of Indranand Jha Resident Of Village - Matiyari, Police
Station - Forbesganj, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana

For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 29-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 22, 23 and 24 of the
N.D.P.S. Act.

3. As per prosecution case, there has been recovery of
8 Kg *Ganja* from a motorcycle.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner is not named in the FIR and
he has no concern with the seized *Ganja*. The name of the
petitioner has come into light on the basis of owner of the seized
motorcycle. No incriminating article has been recovered from
the conscious possession of the petitioner. He further submitted



that petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 11.09.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail **after framing of charge, if not framed**. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sessions-cum-Special Judge, N.D.P.S. Act, Araria in connection with Jogbani P.S. Case No. 249 of 2018.

(Sunil Kumar Panwar, J)

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