

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85953 of 2023

Arising Out of PS. Case No.-334 Year-2022 Thana- NADI P.S. District- Patna

Rajesh Kumar SON OF RAMBALI RAY RESIDENT OF VILLAGE-
JETHULI, PS- NADI, DISTT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamal Kishor Kumar, Advocate

For the Opposite Party/s : Mr.Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 19-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in Nadi P.S.
Case No. 334/2022 registered for the offences punishable under
Sections 08, 20, 22, 29 of the Narcotic Drugs and Psychotropic
Substances Act, 1985.

3. Altogether 25.600 kg ganja has been recovered near
the house of co-accused Raju Kumar Rai, who was apprehended
on the spot and disclosed the name of the petitioner and other
co-accused.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He further
submits that no incriminating article has been recovered from
the conscious possession of the petitioner. He further submits



that no independent witness has put signature on the seizure list.
Hence, in preparing the seizure list there is complete violation
of Section 50 of the N.D.P.S. Act.

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, this court is
inclined to enlarge the petitioner on bail. The petitioner is
directed to surrender in the Court below within a period of four
weeks from today and in the event of his arrest or surrender in
connection with Nadi P.S. Case No. 334/2022, he will be
enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees
ten thousand) with two sureties of the like amount each to the
satisfaction of learned Special Judge, Excise, Patna City, Patna
subject to the conditions as laid down under Section 438(2) of
the Cr.P.C.

7. This application stands allowed.

(Sunil Kumar Panwar, J)

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