

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5729 of 2024

Arising Out of PS. Case No.-166 Year-2022 Thana- PALANWA District- East Champaran

Dular Patel, Sex-Male, aged about 26 years, S/O Ramnath Raut R/O- Vill-
Bishrampur, P.S- Pokharia, Dist- Parsa (Nepal)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suresh Pd.Singh No.1, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 09-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is in custody in connection with
Palanwa P.S. Case No. 166 of 2022 for the offence punishable
under Sections 20(B)(ii)(B) of the NDPS Act.

It is a case of recovery of altogether 29.100 Kg. of
Ganja from the petitioner and co-accused persons.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case and nothing
has been recovered from the possession of the petitioner. He
next submits that similarly situated accused persons have been
granted regular bail by a Co-ordinate Bench of this Court passed
in Cr. Misc. No. 1133 of 2023, Cr. Misc. No. 1433 of 2023 and



Cr. Misc. No. 37638 of 2023 respectively. Petitioner has got clean antecedent and he is in judicial custody since 30.07.2022.

However, learned APP for the State opposes the prayer for regular bail of the petitioner.

Considering the aforesaid facts and circumstances of the case and also the fact that similarly situated co-accused have been granted regular bail by a Co-ordinate Bench of this Court, let the above named petitioner be released on bail *after framing of the charge* on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned ADJ-V, East Champaran, Motihari in connection with Palanwa P.S. Case No. 166 of 2022 arising out of NDPS Case No. 62 of 2022.

However, the court below is directed to conclude the framing of the charge according to law within a period of one month from the date of receipt of this order.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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