

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6220 of 2025

Arising Out of PS. Case No.-115 Year-2024 Thana- KORANSARAI District- Buxar

Nanhak Rai, aged about 60 years, Male, S/o Late Vaidya Nath Rai @ Baijnath Rai, R/o Village- Mugaon, P.S.- Koran Sarai, District- Buxar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Deepak Kumar Singh, Advocate
For the Opposite Party : Mr. Tapeswar Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 14-02-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Pre-trial N.D.P.S. Case No. BRBU10P0015172024, arising out of Koran Sarai P.S. Case No. 115 of 2024 dated 23.11.2024 registered for the offences punishable under Sections 8, 20(B)IIB of the N.D.P.S. Act.

3. As per the prosecution case, total 1.328 K.gs., Ganja is said to have been recovered from the grocery shop of the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that the grocery shop from which



ganja is said to have been recovered is joint land of co-sharers and the petitioner is not exclusive owner of the shop in question. No incriminating article has been recovered from the conscious possession of the petitioner. The petitioner was not present in the shop in question. The petitioner is a 40% physically handicapped person and he is unable to run. There is no statutory compliance of Sections 103(4)(B), 105 and 185(2) of the B.N.S.S., 2023. The petitioner is aged about 60 years and he is suffering from various disease and he is under treatment of the doctor. The seized contraband is less than commercial quantity. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 24.11.2024.

5.Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, N.D.P.S. Act, Buxar, in connection with Pre-trial N.D.P.S. Case No. BRBU10P0015172024, arising out of Koran Sarai P.S. Case No. 115 of 2024.



7. The application stands allowed.

(Chandra Prakash Singh, J)

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