

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10366 of 2025

Arising Out of PS. Case No.-750 Year-2024 Thana- MANER District- Patna

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Ganesh Chaudhary @ Ganesh Kumar Chaudhary S/O Chandev Chaudhary @
Chandeshwar Chaudhary R/O Village- Harpurwa, P.S- Bajpatti, Distt.-
Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar,Adv.
For the Opposite Party/s : Mr.Rita Verma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

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

2. In the present case, the petitioner seeks bail in connection with Maner P.S. Case No. 750 of 2024 registered for the alleged offences under Sections 8(c), 20(b) (ii) (c) of N.D.P.S. Act.

3. As per prosecution case, police received secret information about ganja being smuggled on an auto rickshaw and it was intercepted and two persons including the petitioner were apprehended. From the bag carried by petitioner, recovery of 1.499 kg *ganja* was made.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this

case and he was merely a co-passenger in the said auto which was intercepted by the police. Nothing incriminating has been recovered from the person or possession of the petitioner and he has been apprehended in this case merely on suspicion. The recovery shown is planted. The petitioner is in custody since 02.11.2024 and he is having no criminal antecedent. Charge sheet has been submitted.

5. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that the petitioner was found travelling with the co-accused and he was carrying more than small quantity of ganja.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that charge sheet has been submitted and further considering petitioner's clean antecedent, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge -cum- Special Judge (NDPS), Patna /concerned Court in connection with Maner P.S. Case No. 750 of 2024, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

Anuradha/-

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