

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73190 of 2024

Arising Out of PS. Case No.-117 Year-2021 Thana- SAKRA District- Muzaffarpur

Ramesh Sahani, Son of Ashok Sahani, Resident of Village - Mahmadpur, P.S.-
Tajpur (O.P. Halai), District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate
For the Opposite Party/s : Mr.Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

5 17-03-2025 Heard Mr. Alok Kumar Alok, learned counsel for the
petitioner and Mr. Md. Ataur Rahman, learned APP for the
State.

2. The petitioner has prayed for bail in connection
with N.D.P.S. Case No. 17 of 2021 arising out of Sakra P.S.
Case No. 117 of 2021 registered for the offence punishable
under Sections 8 and 20(b)(II)(C) of the NDPS Act.

3. The case of the prosecution is that altogether 1 kg
of *charas* was recovered from the possession of the petitioner.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. He has been falsely implicated in this
case. He is languishing in judicial custody since 22.02.2021.
Learned counsel for the petitioner has further submitted that in
the case of Rabi Prakash vs. the State of Odisha, Hon'ble



Supreme Court has held that the right of liberty enshrined in Article 21 of the constitution is of prime importance and in the cases where the accused persons are in custody for such a long period, this militates the fundamental rights of liberty.

5. A report from the trial Court has been called for regarding the stage of the trial. From perusal of the report, it transpires that in this case charges were framed on 07.09.2022 but till now only three witnesses have been examined.

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

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period of the petitioner, this Court is inclined to enlarge the petitioner on bail. 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 Exclusive Special Judge-I (N.D.P.S.), Muzaffarpur in connection with N.D.P.S. Case No. 17 of 2021 arising out of Sakra P.S. Case No. 117 of 2021

(Ashok Kumar Pandey, J)

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