

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81729 of 2024

Arising Out of PS. Case No.-202 Year-2024 Thana- HULASGANJ District- Jehanabad

Mulan Raut @ Jhulan Raut S/O Badhan Raut R/O Village- Ghoshi, P.S-
Ghoshi, Dist.- Jahanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Alka Singh, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 18-01-2025 Heard Learned Counsel for the petitioner and
Learned A.P.P. for the State.

2. The present Criminal Miscellaneous application has been filed under Sections 483 and 484 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as “the BNSS”) for seeking regular bail in connection with PTN No. BRJE01P0013662024, arising out of Hulasganj P.S. Case No. 202 of 2024, lodged on 03.08.2024, under Sections 20 (b) (ii), 8(c) of the NDPS Act.

3. As per the prosecution, F.I.R. has been lodged against one named accused person other than the petitioner. Total recovery of 200 grams of Ganja has been made which is the subject matter of the present case.

4. Learned Counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. Counsel further submits that the alleged recovery of ganja is below the small quantity as per NDPS Act and recovery has not been made from the petitioner's possession. Counsel further submits that the petitioner's name has figured in this case by virtue of the confessional statement of the co-accused due to which he has been made accused in the present case. Counsel further submits that the co-accused person, on whose confession the present petitioner has been made accused in this case, has already been granted bail by this Court *vide* order dated 01.10.2024 passed in Cr. Misc. No. 68113 of 2024. Counsel fairly submits that the criminal antecedent of the petitioner is not clean. There are two criminal cases pending against him, in both the cases he is on bail and he is in custody since 04.08.2024.

5. Learned Counsel for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, **after framing of charge, if not framed** as well as on being satisfied by the trial court that the petitioner is not absconding in any of the cases which are pending against him whose details are mentioned below, on furnishing bail



bonds of Rs.30,000/- (Rupees Thirty thousand) as mentioned in Section 2(1)(d) of the BNSS with two sureties of the like amount each to the satisfaction of District and Sessions Judge, Jehanabad in connection with PTN No. BRJE01P0013662024, arising out of Hulasganj P.S. Case No. 202 of 2024, subject to the following conditions as laid down under Section 480(3) of the BNSS.

7. Pending case against the petitioner are as follows:-
- (i) Ghosi P.S. Case No. 167 of 2011
 - (ii) Ghosi P.S. Case No. 4 of 1997

(Dr. Anshuman, J.)

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