

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.51655 of 2017**

Arising Out of PS.Case No. -281 Year- 2016 Thana -RAXAUL District-  
EASTCHAMPARAN(MOTIHARI)

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Vikash Kumar, Son of Late Mohan Sah, Resident of Village: Adapur,  
Shyampur, P.S.: Adapur, District- East Champaran.

.... .... Petitioner/s

Versus

1. The State of Bihar.  
2. The Union of India through Inspector General, S.S.B., Frontier Head  
Quarter, Patna.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Satyendra Narayan Singh

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**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**  
**ORAL ORDER**

4      21-12-2017                      Heard the learned counsel for the petitioner and  
  
learned counsel for the State.

The petitioner seeks bail in connection with N.D.P.S.  
  
Case No. 78 of 2016, arising out of Raxaul P.S. Case No. 281 of  
  
2016 dated 02.12.2016 instituted for the offences under Sections  
  
20, 22, 23 and 24 of the Narcotic Drugs and Psychotropic  
  
Substances Act.

From the possession of the petitioner, 70 grams of  
  
Opium, one mobile telephone and Nepali currency worth Rs. 160/-  
  
was recovered.

Learned counsel for the petitioner has submitted that  
  
the recovery has only been shown on papers and because the



petitioner was found moving in a suspicious condition by the local police personnel and considering that he is from Nepal, he has falsely been implicated in this case.

The petitioner has clean antecedents and is in custody since 03.12.2017.

Regard being had to the fact that from the possession of the petitioner, more than small but less than commercial quantity of Opium is said to have been recovered and that the petitioner is not accused in any other case except present one, this Court is inclined to grant bail to him.

In the facts and circumstances, the petitioner above named is directed to be released on bail on his furnishing bail bond in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge, N.D.P.S. Act, East Champaran at Motihari in connection with N.D.P.S. Case No. 78 of 2016, arising out of Raxaul P.S. Case No. 281 of 2016.

**(Ashutosh Kumar, J)**

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