

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19525 of 2019

Arising Out of PS. Case No.-416 Year-2018 Thana- BEUR District- Patna

Abhishek Kumar @ Bablu, son of Krishna Rai, Resident of Village-
Ballamichak, P.S.- Phulwarisharif, District- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jagnnath Singh

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
26.12.2018 in a case registered for the offence punishable under
Section 21 of NDPS Act.

It is alleged that the petitioner along with co-accused
Sunny Kumar, Gautam Pandey, Sanjay Kumar, Rakesh Ranjan
and Vikash Kumar were apprehended from an under constructed
house on suspicion, two of them tried to escape from the scene
and from their possession cash amount, mobile phones and other
articles were recovered and they conferred that they had
assembled there to consume Heroin.

It is submitted by learned counsel for the petitioner
that even assuming the accusation to be true, no offence under



Section 21 of NDPS Act is made out. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner and others disclosed before the police that they assembled there to consume heroin.

Considering the nature of accusation and statement being made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, NDPS Act, Patna in connection with Special Case No. 147 of 2018, Beur P.S. Case No. 416 of 2018.

(Dinesh Kumar Singh, J)

DKS/-

U		T	
---	--	---	--

