

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72907 of 2019

Arising Out of PS. Case No.-183 Year-2019 Thana- DAGARUA District- Purnia

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YOGENDRA KUMAR S/o Arun Kumar Mehta R/o Mohalla- Ward No. 9,
Farbesganj, P.S.- Farbesganj, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Prashant Kumar
		Mr. Dineshwar Pandey
		Mr. Yogendra Dwivedi
For the Opposite Party/s :		Ms.Anita Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-12-2019 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in connection with Dagarua Police Station Case No. 183 of 2019, registered for the offences punishable under Sections 20/22/24 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

The allegation against the petitioner is that the police intercepted one motorcycle, which was being driven by the co-accused Deepak Kumar and the petitioner was the pillion rider and upon search, the police recovered 05 (five) small pouches of brown sugar from the possession of the co-accused.

Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged. He further submits that no recovery of narcotic drugs and/or



psychotropic substance was made from the possession of the petitioner and the alleged brown sugar was recovered from the possession of the co-accused and that too, without following the procedure laid down under Section 50 of the Narcotic Drugs and Psychotropic Substances Act, 1985. He further submits that the petitioner has got no criminal antecedent and he is in custody since 28.09.2019.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that no narcotic drugs or psychotropic substance has been recovered from the possession of the petitioner and the petitioner is in judicial custody since 28.09.2019 having no criminal antecedent, I am inclined to enlarge the petitioner on bail.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, NDPS Act, Purnea, in connection with Dagarua Police Station Case No. 183 of 2019.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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