

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3350 of 2020

Arising Out of PS. Case No.-16 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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Kaushal Kumar @ Chhotan Singh Son of Rajeshwar Singh Resident of
Village- Gola Mubarakpur, P.S.- Manjhi, P.O.- Mubarakpur, Distt- Saran
(Chapra)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Union of India Through Director, Narcotics Control Bureau India

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dipak Kumar, Advocate
For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 01-06-2020 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

The petitioner who is in custody since 8.11.2019 has
filed the instant application for grant of regular bail in
connection with NDPS Case no. 57 of 2019 (arising out of
case no. NCB/PZU/V/16/2019) registered under sections
20, 25 and 29 of the NDPS Act.

As per allegation in the complaint, on the vehicle
being intercepted by the police team, on search 62 kg
dried brown coloured substance believed to be ganja was
recovered from the possession of one Jitendra Prasad.
The said Jitendra Prasad stated that the seized Ganja was
loaded in his vehicle by the appellant and one Vinod
Sharma.

It is submitted by learned counsel for the petitioner
that the petitioner was not caught at the spot nor any



incriminating article has been recovered from his possession. He has been falsely implicated on the basis of confessional statement of Jitendra Prasad made before the police. The petitioner has no criminal antecedent and is in custody 8.11.2019.

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

Having heard learned counsel for the parties and taking into consideration the facts that the petitioner was not arrested at the spot, his name transpired in the confession of a co-accused before the police, he has no criminal antecedent and is in custody since 8.11.2019, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with NDPS Case no. 57 of 2019 (arising out of case no. NCB/PZU/V/16/2019) on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge/Special Judge, East Champaran, Motihari.

(Partha Sarthy, J)

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