

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3816 of 2020

Arising Out of PS. Case No.-614 Year-2019 Thana- JAKKANPUR District- Patna

MITHILESH KUMAR Son of Kameshwar Das Resident of Postal Park, Budh Nagar, Road No. 1, P.S.- Kankarbagh, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhirendra Nath Jha

For the Opposite Party/s : Mr.Uday Chand Prasad

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 21-01-2020 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is in custody since 16.09.2019 in connection with Sp. Case No. 113 of 2019 arising out of Jakkanpur P.S. Case No. 614 of 2019 for the offence registered under Sections 8C, 21(c), 25 and 29 of the NDPS Act.

Learned counsel for the petitioner submits that the alleged recovery of 54.23 grams (100 pkt. Of Brown Sugar) is from a room of Chaudhari Bhawan Third Floor which is said to be the house of the petitioner. It is further submitted that the alleged recoveries were not made in accordance with the prescribed procedure or in his presence and on the disclosure made, the tenant was arrested. It is further submitted that the tenant disclosed the name of one Mithilesh Kumar, who is also



involved in this case. It is further submitted that the alleged recovery is less than the commercial value and subsequently, the petitioner was arrested on the same date from a different place. It is further submitted that none of the articles were seized on the place of occurrence and there is all possibility of tampering of evidence. It is further submitted that the petitioner has no criminal antecedent and he may be extended the privilege of bail.

Considering the aforesaid facts and circumstances of the case and the period of custody, let the petitioner, above named, 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 Special Judge, Patna in connection with Sp. Case No. 113 of 2019 arising out of Jakkanpur P.S. Case No. 614 of 2019.

(Anjana Mishra, J)

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