

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20909 of 2020

Arising Out of PS. Case No.-23 Year-2020 Thana- BUDDHACOLONY District- Patna

RAHUL KUMAR, aged about 19 years, Male, Son of Anil Rai @ Anil Kumar, Resident of Village Punaichak, Pump House Devi Asthan, Police Station Shastri Nagar, District Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Union of India.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Ram Naresh Ray, Advocate
For the State	:	Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 25-06-2020 Heard Mr. Ram Naresh Ray, learned counsel for the petitioner and Mr. Nand Kishore Prasad, learned Additional P.P. through video conferencing.

The petitioner seeks bail in Buddha Colony P.S. Case No.23 of 2020, corresponding to (N.D.P.S.) Case No.20 of 2020, registered under Sections 21(a), 21(b), 25 and 29 of the N.D.P.S. Act.

Learned counsel for the petitioner submits that the police raided the place on information that Rockey Yadav was selling smack and 11 gms. smack was recovered from possession of Rockey Yadav. It is further submitted that similarly situated co-accused, namely, Ayush Kumar has been



granted bail by a coordinate Bench of this Court vide order dated 19.05.2020, passed in Cr. Misc. No.19100 of 2020. The petitioner has got no criminal antecedent.

The learned Additional P.P. however, opposed the prayer for bail and submitted that the petitioner was also facilitating the sale and purchase of smack which was being done by co-accused Rockey Yadav from whose possession 11 gms. of smack was recovered.

Having considered the facts that nothing has been recovered from possession of the petitioner, the petitioner has got no criminal antecedent and the fact that the petitioner is in custody since 22.01.2020, petitioner, namely, Rahul Kumar is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, (N.D.P.S. Act), Patna in connection with Buddha Colony P.S. Case No.23 of 2020, corresponding to (N.D.P.S.) Case No.20 of 2020.

(Prabhat Kumar Jha, J)

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