

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20413 of 2020

Arising Out of PS. Case No.-43 Year-2020 Thana- KOTWALI District- Patna

Abhishek Keshri Son of Late Sudhir Prasad Keshri Resident of Nahar Par
Mithapur, P.S. - Jakkanpur, District and Town- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

5 22-01-2021 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

Petitioner is in custody in connection with Kotwali
P.S. Case No. 43 of 2020 corresponding to special case no. 497
of 2020 for the offence under sections 30(a), 36(1) (2) of Bihar
Prohibition and Excise Act, 2016 and Section 8©, 21(a), 15 of
NDPS Act, 1985.

Learned counsel for the petitioner submits that
petitioner has no criminal antecedent. He has further submits
that contrary to the mandatory provision of the Narcotic Drugs
and Psychotropic Substances Act the petitioner has been made
accused in the instant case. Neither mandatory provision of
narcotic Act for the preparation of seizure list nor the prescribed
norms as to the witnesses was followed in the present



case.

The petitioner is in custody since 13.1.2020.

Considering the fact that the petitioner has no criminal antecedent and he has remained in custody for more than one year, the Court is inclined to grant bail to the petitioner, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 1,00,000/- (One lakh) with two sureties of the like amount each to the satisfaction of learned Special Court of Excise, Patna, in connection with Kotwali P.S. Case No. 43 of 2020 corresponding to special case no. 497 of 2020 subject to the condition that the petitioner shall deposit Rs. 1,00,000/- (One Lakh) cash in the court below and the amount of Rs. 1,00,000/- (One Lakh) cash deposited by the petitioner shall abide by final outcome of the pending criminal case.

(Anil Kumar Upadhyay, J)

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