

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41690 of 2021**

Arising Out of PS. Case No.-798 Year-2020 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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Nishant Kumar Choudhary Son of Binod Kumar Choudhary Resident of
Village - Bharatkhund, Police Station - Parbatta, District- Khagaria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar
For the Opposite Party/s : Ms. Asha Devi, APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 25-10-2021 Heard both parties.

The petitioner seeks bail in Kotwali (Jogsar) P.S. Case
No. 798 of 2020 corresponding to NDPS Case No. 13 of 2021,
registered for the offence punishable under Sections 20/22 of the
NDPS Act.

As per the prosecution case, 1.480 gms of Brown
Sugar has been recovered from possession of co-accused Lal
Babu Rai who disclosed that this petitioner and one Prashant
Vats have provided the said Brown Sugar for sale.

It is submitted on behalf of the petitioner that
petitioner is not named in the FIR and name of this petitioner
has come in this case on the basis of confessional statement of
co-accused Lal Babu Rai. No narcotic substance has been



recovered from conscious possession of this petitioner. Further submitted that alleged recovery has been made from possession of co-accused Lal Babu Rai. Petitioner is in custody since 18.03.2021. Chargesheet has already been submitted.

Considering the period of custody and the fact that no narcotic substance has been recovered from possession of this petitioner, the petitioner above-named, 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 Sessions Judge, Bhagalpur in connection with Kotwali (Jogsar) P.S. Case No. 798 of 2020 corresponding to NDPS Case No. 13 of 2021.

(Prabhat Kumar Singh, J)

vinita/-

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