

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7779 of 2021

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

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BINOD KUMAR SHARMA @ VINOD KUMAR SHARMA Son of Shree
Ram Sharma Resident of Village - Majhwalia, P.S.- Kopa, District - Saran
(Chapra).

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India through the Director General, Narcotic Control Bureau,
New Delhi. Delhi

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bashishtha Narayan Mishra
For the Opposite Party/s : Mr. Shailendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 15-04-2021 Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor for the State, through Video

Conferencing.

The petitioner seeks regular bail in connection with
N.D.P.S. Case No. 57 of 2019, arising out of Case No. NCB/
PZU/V/16/2019, disclosing offences under Sections 20/25/29 of
the Narcotic Drugs and Psychotropic Substances Act, 1985.

The allegation, as per the First Information Report, is
that a vehicle was intercepted by the Officers of the Narcotics
Control Bureau and upon search of the said vehicle, 62 kgs. of
ganja was recovered from the possession of one Jitendra Prasad
and said Jitendra Prasad disclosed that the seized ganja was



loaded in the vehicle by the petitioner and co-accused Kaushal Kumar @ Chhotan Singh.

Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has not been caught at the spot nor any incriminating material has been recovered from his possession. He further submits that the petitioner has been dragged in this case on the basis of disclosure made by the arrested co-accused, Jitendra Prasad made before the Narcotics Control Bureau, from whose possession ganja has been recovered. He further submits that the petitioner has got no criminal antecedent and he is in custody since 08.11.2019. He further submits that similarly situated co-accused Kaushal Kumar has been granted bail by co-ordinate Bench of this Court, vide order dated 01.06.2020, passed in Criminal Misc. No. 3350 of 2020.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that similarly situated co-accused has been granted bail by this Court, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

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 learned Sessions Judge -cum- Special Judge, East Champaran, at Motihari, in connection with N.D.P.S. Case No. 57 of 2019, arising out of Case No. NCB/PZU/V/16/2019.

This is subject to the condition that the petitioner shall present himself before the Court, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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