

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40022 of 2020

Arising Out of PS. Case No.-46 Year-2020 Thana- SARAI District- Vaishali

VIKASH KUMAR @ LANGARA @ VIKESH KUMAR S/o Late Dasrath
Singh R/o Village- Sahdullapur, P.S.- Ganga Bridge, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar No 7, Adv.

For the Opposite Party/s : Mr.Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 24-03-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 20, 22, 23, 24, 25 and 29 of
the N.D.P.S. Act.

Allegation is that there is recovery of 5 kg. Ganja
from the possession of the petitioner.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. He further submits that the petitioner was apprehended by
the police at 5.15 am, the seizure list was prepared at 5.30 am
but the informant recorded his self statement at the place of
occurrence itself at 8.30 am after about 03 hours of the alleged
seizure. The petitioner is a handicap person and the certificate of
disabilities issued by the C.M.O., Vaishali on 10.02.2011(as



Annexure-2 of the bail application). The wife of the petitioner had filed a complaint case (Annexure-3) of the bail application, therefore, the petitioner has falsely implicated in this case. As per prosecution case, the said contraband articles has been recovered from the possession of the petitioner which is below the commercial quantity. The petitioner is languishing in judicial custody since 03.03.2020 more than one year.

Learned counsel for the petitioner further submits that

Learned APP for the State opposes the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in connection with Sarai P.S. Case No. 46/2020 to the satisfaction of learned Court below where the case is pending.

(Anjani Kumar Sharan, J)

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