

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7898 of 2021

Arising Out of PS. Case No.-69 Year-2018 Thana- SULTANGANJ District- Patna

VISHNU KUMAR Son of GULAB SAO Resident of Mohalla - Shivpur,
Tikia Toli, Police Station - Sultanganj, District - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arbind Kumar Mauar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-04-2021 Heard Mr. Arbind Kumar Mauar, learned counsel
for the petitioner and learned APP for the State through video
conferencing.

Petitioner seeks regular bail in connection with
Special (NDPS Act) Case No. 161(A)/2018 arising out of
Sultanganj P.S. Case No.69 of 2018 registered for the offence
under Sections 20(B), 17 and 11 of the NDPS Act.

The allegation as per the First Information Report is
that police arrived at the house of the petitioner on the basis of
secret information that one Suraj Sao was indulged in sell of
smack and upon seeing the police party, the said Suraj Sao tried
to flee away but was caught and from his possession, 11 grams
smack was recovered. It has further been alleged that petitioner
who happens to be the brother of Suraj Sao along with other



family members rescued the said Suraj Sao from the custody of the police and facilitated him in fleeing away.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and he has not committed any offence in the manner alleged. Learned counsel next submits that the psychotropic substance has been recovered from the pocket of Suraj Sao and no Narcotic Drugs and Psychotropic Substance has been recovered from the possession of the petitioner. Learned counsel next submits that other family members have been granted bail by the learned court below itself and the said Suraj Sao has also been granted bail by a coordinate Bench of this Court in Cr.Misc.No.48664 of 2019 dated 16.10.2019. Learned counsel next submits that petitioner is in custody since 13.08.2020.

Having regard to the submissions made by the parties and taking into consideration the material available on record and nature of allegation and the fact that the petitioner is in custody since 13.08.2020, other co-accused has been granted bail by a coordinate Bench of this Court and also the learned court below, I am inclined to grant regular bail to the petitioner.

Accordingly, let the above named petitioner 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 Additional Sessions Judge-IX at Patna in connection with Special (NDPS Act) Case No.161 (A)/2018 arising out of Sultanganj P.S. Case No.69 of 2018.

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

Brajesh Kr./-

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