

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16279 of 2022**

Arising Out of PS. Case No.-23 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Bhojpur

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Pappu Kumar Gupta Son of Guru Charan Sah Resident of Village - Siaruan,
P.s.- Jagdishpur, Distt.- Bhojpur.

... .. Petitioner/s

Versus

1. The Union of India through Narcotics Control Bureau, Karpoori Thakur Sadan, CGO Complex, D and E Block Ashiyan Digha Road, Patna- 25
2. The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 16-08-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks from today.

The petitioner seeks bail in connection with a case
registered for the offences punishable under Sections 21(c),
22(c) and 29 of N.D.P.S. Act.

The prosecution case, in short, is that on 28.09.2021,
the informant received an information that two workers of
Santosh Kumar Sah namely, Basukinath Gupta and Aditya Roy
are coming from Dimapur by train with a huge consignment of
heroin. They reached at Ara on 29.09.2021. The said



information was given by the informant to Superintendent of NCB, Rajan Kumar who instructed the raiding team. The raiding team followed the train but the accused persons were not caught, again the raiding team proceeded to Ara and apprehended two persons namely, Basukinath Gupta and Aditya Roy. During the course of investigation, apprehended persons disclosed that the said 650 gms heroin was to be delivered to Santosh Kumar Sah.

Learned counsel for the petitioner submits that the petitioner is innocent and he has no concern with the seized articles and the co-accused persons. It is further submitted that the petitioner's name transpired in this case on the basis of confessional statement of other co-accused namely, Basukinath Gupta and Santosh Sah. Further, it is submitted that another co-accused namely, Santosh Kumar Sah has been granted by this Bench vide order dated 29.06.2022 passed in Criminal Miscellaneous No. 8568 of 2022. The petitioner is in custody since 03.12.2021, is a person with clean antecedent and charge-sheet has been submitted in the case.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the facts and circumstances of this case,



the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) only with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge, N.D.P.S. Act, Bhojpur at Ara in connection with N.D.P.S. Special Case No. 12 of 2021 arising out of NCB Case No. 23 of 2021.

(Khatim Reza, J)

Gaurav Kumar/-

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