

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31886 of 2022

Arising Out of PS. Case No.-267 Year-2021 Thana- BIKRAM District- Patna

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ARVIND SINGH @ DHORHA SINGH S/o Late Bhagwat Singh Resident of
Village- Akhtiyarpur, P.S.- Bikram, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Sinha

For the Opposite Party/s : Mr.Upendra Kumar

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 12-08-2022 Learned counsel for the petitioner is permitted to

remove defect (s), as pointed out by the office, if any, within a

period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned APP
for the State through Video Conferencing.

The petitioner has preferred this application for grant of
regular bail in a case registered under sections 8 and 20(b)(ii)(A) of
the N.D.P.S Act.

As per the prosecution case, it is alleged that 12 grams
smack kept in 21 pudiyas was recovered from the right pocket of
the pant of the co-accused.

Learned counsel for the petitioner has submitted that the
petitioner is innocent and he has falsely been implicated in this
case. Nothing has been recovered from the possession of the



petitioner. The learned counsel for the petitioner has further submitted that the name of the petitioner has sprung up in the confessional statement of co-accused, Dhiraj Kumar@ Biru who has already been granted bail by this Court vide order dated 29.07.2022 passed in Cr. Misc. No. 19793 of 2022. Section 50 of the N.D.P.S Act is not complied in this case. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 23.12.2021. The said seized amount is less than commercial quantity.

Learned A.P.P. for the State has opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances, the petitioner above-named, is directed to be enlarged on bail on his furnishing bail-bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Session Judge-4th-cum-Special Judge, N.D.P.S. Act, Patna, in connection with Bikram P.S. Case No. 267 of 2021.

The application stands allowed.

(Chandra Prakash Singh, J)

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