

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46864 of 2021

Arising Out of PS. Case No.-163 Year-2021 Thana- BHABHUA District- Kaimur (Bhabua)

ANIL KUMAR SINGH S/o Late Jiyut Singh R/o village- Baurae, P.S.-
Chainpur, at present Akhleshpur Takiya, P.S.- Bhabua, Distt.- Kaimur
(Bhabua)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar Seth, Advocate

For the Opposite Party/s : Mr.Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 02-03-2022 Heard the learned counsel for the petitioner and Sri
Anil Prasad Singh, the learned APP for the State.

The petitioner seeks regular bail in connection
with Bhabua PS case no. 163 of 2021 instituted for the
offences punishable under Sections 8/21(b), 27(A) of N.D.P.S.
Act.

The allegation is regarding the police having
apprehended three miscreants and upon search, various
quantities of Heroine was recovered from the said three
miscreants. As far as the petitioner is concerned, 4.340 gms.
of Heroine was recovered from his conscious possession.

The learned counsel for the petitioner has
submitted that the petitioner is innocent, has been falsely
implicated in the present case, is having a clean antecedent



and is languishing in custody since 29.03.2021. The learned counsel for the petitioner has further submitted that the quantity of Heroine seized from the possession of the petitioner is less than the small quantity defined in the Schedule notified under the provisions of the N.D.P.S. Act, 1985, hence there is no impediment in grant of bail to the petitioner herein.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the quantity of Heroine seized from the petitioner is less than the small quantity defined in the Schedule notified under the N.D.P.S. Act, 1985 apart from the fact that the petitioner is having a clean antecedent, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Additional Sessions



Judge 3rd-cum-Special Judge, N.D.P.S. Kaimur (Bhabua) in
connection with Bhabua PS case no. 163 of 2021.

(Mohit Kumar Shah, J)

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