

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47492 of 2022

Arising Out of PS. Case No.-600 Year-2020 Thana- KHAGARIA District- Khagaria

Vikram Kumar Son Of Dasrath Prasad Singh @ Dashrath Singh R/O Village-
Bhadas North, P.S.- Khagaria (MUFFASIL), District- Khagaria (BIHAR)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bishweshwar Ram
For the Opposite Party/s : Mr.Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-12-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to
remove the defect(s) as pointed out by the office within a period
of four weeks.

The petitioner seeks bail in a case registered under
Sections-08/20(b)(ii)(c)/25/29 of the N.D.P.S. Act.

Prosecution case in short is that 70 gm. heroine is
recovered from the co-accused.

It has been submitted that the petitioner has got no
criminal antecedent. There is no allegation of tampering of
witnesses alleged against the petitioner. The petitioner is in
custody since 28-03-2022. Charge sheet has already been
submitted in this case. 70 gm. heroine is recovered from the co-



accused who disclosed the name of the petitioner. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case. There is no recovery of any contraband from conscious possession of the petitioner. The alleged recovery is below the commercial quantity. Hence, Section-37 is not applicable in the present case. There is no compliance of Sections- 42 & 50 of the N.D.P.S. Act.

On behalf of the State, it is submitted that the petitioner is named in the FIR.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above, 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-III-cum-Special Judge (N.D.P.S.) Act, Khagaria in connection with Khagaria P.S. Case No. 600 of 2020, G.R. No. 2508 of 2020, Special (N.D.P.S.) Case No. 04B/2020.

(Sudhir Singh, J)

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