

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51021 of 2022

Arising Out of PS. Case No.-9 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

MD. IBRAHIM SHAH Son of Late Abdul Rauf Shah R/V- Akhta Got, P.O-
Dheng, P.S- Bairgania, Dist- Sitamarhi. At present resident of M.G. Road,
Jaygaon, Samaj Kalyan, Jaygaon (CT) Jaigaon, Dist- Jalpaiguri, (West
Bengal), Pin Code- 736182

... .. Petitioner/s

Versus

The Union of India Govt. of India

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Rajpati
For the respondent No. 1: Mr. Kumar Sachin, Adv.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-12-2022 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 initially registered
under Sections-08(C)/20(B)(ii)(c) of the N.D.P.S. Act but later on,
cognizance has been taken under Sections-20(B)(ii)(c)/23(C) and 29
of the N.D.P.S. Act, 1985.

Prosecution case in short is that from a courier agency, a
courier having the name, address and Aadhar of the petitioner was
seized by the prosecution and after opening the said courier, 3.200
kg. Charas is recovered.



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 07-09-2021. Charge sheet has already been submitted in this case. As per the allegation, there was a courier company who received a parcel. The prosecution raided the said courier agency and from the box, 3.200 kg. Charas was recovered. As per the allegation, in the box there was a Aadhar Card on which, the name of the petitioner was appearing. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case. There was no recovery from conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of contraband.

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-XVIII, Patna in connection with NCB Crime/Case No. of 09 of 2021.

(Sudhir Singh, J)

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