

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7776 of 2023

Arising Out of PS. Case No.-845 Year-2022 Thana- DANAPUR District- Patna

RAKESH KUMAR S/O MANDEV RAI Resident of Village- Nasariganj
Biscuit Factory Road, P.S.- Danapur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subodh Kumar Barnwal

For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 10-05-2023 Heard the parties.

Petitioner seeks regular bail in connection with
Danapur PS Case No. 845 of 2022 (Special Case No. 146 /
2022) dated 16-08-2022 registered under Section 21 (b) of the
NDPS Act.

As per the FIR one small sachet of brown sugar was
recovered from the possession of the petitioner, one small pouch
of brown sugar was recovered from the right pocket of the co-
accused / Ganesh Kumar and 18 small pouch having 15 gram
brown sugar and 06 gram Ganja was recovered from the
co-accused / Kamlesh Kumar

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case and the brown
sugar allegedly recovered from the possession of the petitioner
is of very small quantity which may be about 01 gram, which is



lesser than small quantity of 05 gram as mentioned in the schedule. The co-accused / Kamlesh Kumar has been granted bail by Co-ordinate Bench of this Court in Cr. Misc. 8808 / 2023, the petitioner is in custody since 17.08.2022, charge sheet has already been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidence.

Regard being had to the submission made by the parties, taking into consideration the material on record, the fact that contraband which has been recovered from the petitioner is lesser than small quantity, co-accused has been granted bail by a Co-ordinate Bench of this Court, the petitioner is in custody since 17.08.2022 and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XVIII, Patna in connection with Danapur PS Case No. 845 of 2022 (Special Case No. 146 / 2022).

(Anil Kumar Sinha, J)

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