

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8535 of 2023

Arising Out of PS. Case No.-117 Year-2022 Thana- BALTHAR District- West Champaran

RAJ KISHORE PATEL S/o Hari Patel R/o Village- Bhawara, P.S.- Balthar,
Distt- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Adya Singh, Advocate
For the Opposite Party/s : Mr. Binod Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-04-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 20(B), II(B), 23(B) and 29 of the NDPS Act.

Learned counsel for the petitioner submits that petitioner has antecedent of one case.

Allegation is of recovery of 5.775 Kg. of Ganja from the possession of the petitioner and 5.980 Kg. of Ganja is alleged to have been recovered from the possession of Vijay Shrivastava.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case because of his antecedent under the NDPS Act which was instituted in the year 2012. It is further submitted that in



between 2012 till 2022 no case came to be instituted against the petitioner. It is next submitted that Vijay Shrivastava has been granted bail by order dated 13.03.2023 in Cr. Misc. No. 69354 of 2022 by a learned Coordinate Bench of this Court. It is, thus, submitted that on parity the petitioner is seeking bail and also on the ground that the alleged recovery is less than commercial quantity.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the aforesaid submission, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Balthar P.S. Case No. 117 of 2022.

One of the bailors of the petitioner shall be his father Hari Patel.

(Satyavrat Verma, J)

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