

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10124 of 2023

Arising Out of PS. Case No.-141 Year-2021 Thana- AAYAR District- Bhojpur

Shiv Kumar @ Shiv Gopal Son Of Dindyal Chaudhry R/V- Ward No. 3
(Jagdishpur) P.S- Jagdishpur, Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar

For the Opposite Party/s : Ms.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Aayar P.S. Case No. 141 of 2021 registered under section 21(b) of the NDPS Act.

Prosecution case relates to recovery of approximately 7 grams of Heroine like narcotics substance from the possession of other co-accused person. It is further alleged that the apprehended co-accused person said that the narcotics substance were supplied by the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to previous enmity. It is further submitted that neither the petitioner was arrested on spot



nor any incriminating article has been recovered from his conscious possession. He has no concern with the seized heroine like narcotics substance. His name came into light in this case on the basis of disclosure made by apprehended co-accused person namely, Vijay Kumar Singh and he has already been granted bail by the different co-ordinate Bench of this Court vide order dated 23.05.2022 in Cr. Misc. No. 5191 of 2022. Moreover, the petitioner is languishing in judicial custody since 09.12.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Aayar P.S. Case No. 141 of 2021 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge Bhojpur, Ara.

(Sunil Kumar Panwar, J)

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