

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11934 of 2023

Arising Out of PS. Case No.-1174 Year-2022 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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Nishant Kumar Choudhary @ Pandu @ Bandu @ Nishant Choudhary S/O
Vinod Kumar Choudhary R/V- Bharat Khand, P.S.- Parbatta, District-
Khagaria, Presently Residing At Mohalla- Bhikhanpur, P.S.- Ishakchak,
District- Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-04-2023 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 Kotwali(Barari) P.S.
Case No. 1174 of 2022 registered under sections 21(b) and 22 of
the NDPS Act.

Prosecution case relates to recovery of 29 grams of
brown sugar like narcotics substance along with some
equipment and cash of Rs. 1,61,300/- from the house of the co-
accused person, namely, Nilesh Kumar Yadav and there is
recovery of phone from the possession of Nilesh Kumar Yadav



and Aman Kumar. On search, they stated that they purchased the brown-sugar from this 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. The name of the petitioner came in the F.I.R. on the basis of confessional statement of apprehended co-accused person Nilesh Kumar Yadav before the police. Neither the petitioner was apprehended on spot nor anything incriminating article has been recovered from his conscious possession. It is further submitted that the petitioner has no concern either with the seized articles or with the other co-accused persons. Moreover, he is languishing in judicial custody since 18.12.2022.

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 Kotwali (Barari) P.S. Case No. 1174 of 2022 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,
Bhagalpur.

(Sunil Kumar Panwar, J)

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