

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12665 of 2023

Arising Out of PS. Case No.-273 Year-2022 Thana- KHARIK District- Bhagalpur

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NILESH KUMAR SON OF MAHESH SINGH @ MAHESH PRASAD
SINGH R/O VILLAGE- TELGHI, P.S.- KHARIK, DISTRICT-
BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Yadav

For the Opposite Party/s : Mr.Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under section 21/22 of the N.D.P.S.
Act.

Prosecution case relates to recovery of 23 bottles of
prohibited cough syrup from the hut like shop of the petitioner
and accordingly seizure list was prepared.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has got no criminal antecedent. Nothing has been
recovered from conscious possession of the petitioner. The
seizure list is manipulated by the police and they have not



complied the mandatory provision of Section 50 of the NDPS Act. Petitioner is languishing in judicial custody since 12.11.2022.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge, Bhagalpur/Successor Court in connection with Kharik P.S. Case No. 273 of 2022.

(Sunil Kumar Panwar, J)

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