

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13287 of 2023

Arising Out of PS. Case No.-154 Year-2022 Thana- SIKTA District- West Champaran

RAJ KUMAR Son of Late Sanjiv Kumar @ Sanjiv Kunwar R/o Sikarpur,
P.S.- Sikta, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 12-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 414 of the Indian Penal Code and Section 21(b) of the N.D.P.S. Act.

According to the FIR, prosecution case relates to recovery of Phenergan Vial (total 49 vial) Promethazine hydrochloride injection, Wrx Noophin injection 2ml Buprenorphine injection, 19 vial and Nrx Cerejack Diazepam injection. The petitioner is alleged to have arrested on spot while he was transporting these intoxicating substance.

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 petitioner has no concern with the alleged recovery of intoxicating substance or



with the co-accused. There is non compliance of sections 42 & 50 of the N.D.P.S act and the police has submitted charge-sheet without containing the F.S.L. report against the petitioner. The petitioner has got no criminal antecedent. Moreover, similarly situated co-accused namely, Ravi Kumar has already been granted bail a co-ordinate Bench of this Court vide order dated 23.5.2023 passed in Cr. Misc. No. 7161 of 2023. The petitioner is languishing in judicial custody since 20.10.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sikta P.S. Case No. 154 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Districty & Sessions Judge-cum-Special Judge, N.D.P.S. Bettiah, West Champaran.

(Sunil Kumar Panwar, J)

Amandeep/-

U		T	
---	--	---	--

