

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17648 of 2023

Arising Out of PS. Case No.-215 Year-2022 Thana- INDUSTRIAL District- Bhagalpur

VISHNU KUMAR Son of Soval Yadav R/o Muhalla- Virnod, PS- Goradih,
Dist-Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Upadhyaya

For the Opposite Party/s : Mr.Madhura Nand Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 17-07-2023 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 a case registered for the offences punishable under Sections 20(B)(ii)(c)/22 of N.D.P.S. Act.

As per the allegation in F.I.R, 6 kg of Ganza like narcotics substance, one mobile and five hundred rupees have been recovered from the possession of the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. The petitioner has no concern with the alleged recovered contraband. It is further submitted that petitioner was bonafide passenger of the bus in question. The alleged recovered Ganza like narcotics substance is lesser than



commercial quantity as per N.D.P.S. Act. Provision of N.D.P.S. has not been followed in this case. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Similarly situated other accused person has already been enlarged on bail vide order dt. 9.5.2023 passed in Cr. Misc. No. 14527 of 2023 by this Court. Petitioner is languishing in judicial custody since 30.10.2022.

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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with NDPS Case No. 126 of 2022 arising out of Industrial Area P.S. Case No. 215 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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