

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17590 of 2023

Arising Out of PS. Case No.-15 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Patna

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SHAMBHU PRASAD @ AJAY KUMAR GUPTA Son of Moti Sah Resident
of Village-Jaitpura, P.S.-Nuaon, District-Kaimur (Bhabua)

... .. Petitioner/s

Versus

THE UNION OF INDIA THROUGH INTELLIGENCE OFFICER
NARCOTICS CONTROL BUREAU (NCB), PATNA PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Yogendra Kumar
For the Opposite Party/s :	Mr.Dr. Krishna Nandan Singh(Asg)
For the Informant	Mr. Manoj Kr. Singh (CGC)
	Mr. Ankit Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 17-07-2023 Heard learned counsel for the petitioner, learned
CGC appearing on behalf of Union of India and learned APP
for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 8(C), 21(C) and 29 of
the NDPS Act.

As per allegation in the FIR, on getting secret information
police party proceeded towards place of occurrence, and
apprehended two accused persons, namely, Bablu Sah and
Pramod Kumar with 620 gram brown sugar like substance.
They disclosed the name of the petitioner as one of his
associates.



Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this Case. His name appeared in this case on the confessional statement of apprehended accused Pramod Sah, before the police, which has got no evidentiary value in the eye of law. Petitioner is handicapped person by his lower limb. He was not arrested on spot. There is complete violation of provision of Section 50 of the NDPS Act. The recovered article comes below the commercial quantity. Petitioner has got no criminal antecedent and languishing in judicial custody since 21.07.2022.

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 Additional Sessions Judge XVIII Patna-cum-Special Judge NDPS Act, Patna in connection with NDPS Case No. 97 of 2022/Special Case No. 197 of 2022 arising out of NCB/PZ/U/V



(Crime) Case No. 15/2022.

(Sunil Kumar Panwar, J)

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