

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20725 of 2023

Arising Out of PS. Case No.-25 Year-2023 Thana- KOCHADHAMAN District- Kishanganj

INDRAJIT KUMAR aged about 23 years (M), Son of Chandeshwar Ray
Resident of village - Rampur Shyamchand, P.S.- Raghapur, District - Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Narcotics Control Bureau Patna through its Intelligence Officer Union of India. Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad, Advocate
Ms.Usha Kumari Singh, APP
For the Opposite Party/s : Mr.Rajendra Prasad Nat, Advocate

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 22-05-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Kochadhaman P.S. Case No. 25 of 2023 dated 21.01.2023
registered for the offence(s) punishable under Section(s) 8/20(b)
(ii)(B)/22/23 and 29 of the NDPS Act.

3. The main submissions advanced by the learned
counsel for the petitioner are that the instant matter relates to
the recovery of 17 kg. 420 grams of narcotic material believed
to be *Ganja* from the possession of four accused persons
including this petitioner and as per FIR, 4 kg. 90 grams of said
contraband was recovered from the possession of this petitioner,



so he is only responsible for the said quantity which is less than commercial quantity and little more than small quantity and the petitioner has been languishing in jail since 22.01.2023 having fair and clean antecedent and he is a student. Further submissions are that the provisions of Section 50 of NDPS Act were not followed by the concerned police officials during search and seizure of the alleged contraband and against the petitioner, the investigation has been completed and similarly situated co-accused persons, namely, Abhiraj Kumar Singh @ Raja Kumar Singh and Anil Ray have been granted bail by different co-ordinate Benches of this Court vide orders passed in Cr. Misc. No.16294 of 2023 and 17241 of 2023 respectively and one co-accused Bindeshwari Devi has been granted bail by the trial court itself.

4. Learned APP appearing for the State opposes the bail prayer.

5. Considering the above submissions and mainly the petitioner's young age and his fair and clean antecedent as mentioned in the petition and privilege of bail having been granted to the similarly situated co-accused persons, as mentioned-above and also taking into account the quantity of the alleged contraband which is alleged to have been recovered



from the possession of this petitioner, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail in connection with Kochadhaman P.S. Case No. 25 of 2023 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

Sanjay/-

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