

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20279 of 2023

Arising Out of PS. Case No.-653 Year-2022 Thana- GHORASAHAN District- East
Champaran

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Vickky Kumar Son of Amaldeo Prasad Yadav @ Amaldev Ray Resident of
Village - Gola Pakariya, P.S.- Lakhaura, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India through Jasobanta Senapti (Assistant Commandant), E-
Coy 20th Batallion Sitamarhi Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.III, Advocate
For the State : Mr. Binod Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 18-05-2023 Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks regular bail in connection with
NDPS Case No. 109 of 2022 arising out of Ghorasahan P.S.
Case No.653 of 2022 registered for the offence punishable
under Sections 20(i) (ii) (B), 23(b) and 25 N.D.P.S. Act.

As per prosecution case, the allegation against the
petitioner is that 4 Kg and 700 Gram ganja was recovered from
the possession of the petitioner by the patrolling party.

Learned counsel for the petitioner submits that



petitioner has falsely been implicated in this case and no recovery has been made from the conscious possession of the petitioner and recovery of alleged Ganja is planted by the prosecution. He has further submitted that alleged recovered quantity of ganja is less than commercial quantity. He was not involved in any other narcotic cases. He has one criminal antecedent in which he is on bail. Seizure-list was not prepared as per mandatory requirement.

Learned counsel for the petitioner further submits that charge in this case has already been framed and there is no chance of absconding of the petitioner or tampering with the evidence if he is granted bail. Petitioner is in jail custody since 02.12.2022.

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

Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge / Special Judge NDPS, East Champaran, Motihari in connection with NDPS Case No. 109 of 2022 arising out of



Ghorasahan P.S. Case No.653 of 2022.

(Sunil Dutta Mishra, J)

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