

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24533 of 2023

Arising Out of PS. Case No.-621 Year-2022 Thana- BHABHUA District- Kaimur (Bhabua)

Kisan Patel @ Kisan S/O Late Madan Singh R/O Village- Akhalspur, Ward
No. 11, P.S- Bhabua, Distt.- Kaimur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhash, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 18-05-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Bhabua P.S. Case no.621 of 2022 registered under sections 8(c), 21(b) and 27(a) of the N.D.P.S Act.

3. As per the prosecution case, on search being conducted, 4.950 gms of smack (heroine) was recovered from the possession of the petitioner.

4. It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. No incriminating article has been recovered from his possession. The petitioner is in custody since 25.9.2022 and investigation in the case has concluded.

5. Heard learned A.P.P for the State.



6. Having heard learned counsel for the parties and taking into consideration the petitioner having an antecedent under the N.D.P.S Act together with 4.950 gms of smack having been recovered from the petitioner’s possession, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. Liberty is granted to the petitioner to renew his prayer for bail after six months or after framing of charge, whichever is later.

(Partha Sarthy, J)

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