

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25011 of 2023

Arising Out of PS. Case No.-1026 Year-2021 Thana- NAGAR District- Vaishali

SUJEET KUMAR @ THAPACHI Son of Vasudev Ray R/V- Dighi Kala,
Chak Sakra, PS- Sadar Hajipur, Dist- Vaishali Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Rina Sinha
For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 23-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 8(C), 20(b)(ii), 23(b)
and 29 of NDPS Act.

As per allegation in the FIR, on getting secret information
police party proceeded towards place of occurrence, and
apprehended three accused persons including the petitioner who
are riding on a motorcycle without number plate. On search,
arms were recovered from possession of co-accused Rakesh
Kumar and from possession of petitioner and one other accused
10.445 Kg. Ganja like substance from each were recovered.

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. No local



person was made as a witness of the seizure list rather seizure list witnesses are police personnel. There is complete violation of provision of Section 50 of the NDPS Act. There is no FSL report to confirm that the seized article is contraband material. The recovered article comes below the commercial quantity. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 3.1.2023 passed in Cr. Misc. No. 61619 of 2022. Petitioner is languishing in judicial custody since 24.01.2022.

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-I, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 1026 of 2021.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

