

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25507 of 2023

Arising Out of PS. Case No.-514 Year-2022 Thana- GARDANIBAG District- Patna

CHHOTU KUMAR @ CHOTU KUMAR @ CHOOTU KUMAR SON OF
LATE MANOJ SAW RESIDENT OF VILLAGE- MANIKCHAND TALAB,
PO- ANISABAD, PS- GARDANIBAGH, DISTT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 19-05-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Gardanibagh P.S. Case
no. 514 of 2022 registered under section 22(b) of the NDPS Act.

3. As per the prosecution case, the four accused
persons including the petitioner herein were caught. On search it
is stated that 8.23 gram of smack was recovered from the
possession of Pintu Kumar.

4. It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from his
possession. He has been falsely implicated in the case as he was
standing nearby. He has no criminal antecedent. He is in custody



since 7.9.2022 and charge sheet has been submitted in the case.

5. Heard learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation in the FIR according to which the recovery of smack is said to have taken place from co-accused Pintu Kumar, no incriminating article has been recovered from the petitioner's possession who is in custody for 8 months since 7.9.2022, his having no criminal antecedent and charge sheet has been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Gardanibagh P.S. Case no. 514 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge IV, Patna.

(Partha Sarthy, J)

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