

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27953 of 2023**

Arising Out of PS. Case No.-1174 Year-2022 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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AMAN KUMAR Son of Late Ajab Lal Yadav Resident of Mohalla - Badi
Khanjarpur Near Durga Asthan, P.S.- Barari, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pravin Kumar Sinha
For the Opposite Party/s : Mr.Madhura Nand Jha

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 25-05-2023 Learned counsel for the petitioner is permitted to

remove defect (s), as pointed out by the office, if any, within a

period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner has preferred this application for grant
of regular bail in connection with NDPS Case No. 148 of 2022
arising out of Kotwali (Barari) P.S. Case No. 1174 of 2022 dated
10.12.2022 registered for the offences punishable u/s 21(b)/22
of the NDPS Act.

As per the prosecution case, 29 grams of brown sugar
like substance package materials and cash of Rs. 1,61,300/-
were recovered from the house of the co-accused Nilesh Yadav



where the petitioner was also present inside the room.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. Nothing has been recovered from the conscious possession of the petitioner. Recovery is made from the house of the co-accused. The co-accused person has already been granted bail by the Coordinate Bench of this Court vide order dated 24.4.2023 passed in Cr. Misc. No. 11934 of 2023. The seized contraband is not of commercial quantity. The petitioner is accused in two other criminal cases and he is on bail in all the cases as stated in para 3 of the bail petition. The petitioner is in custody since 10.12.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Bhagalpur in connection with the NDPS Case No. 148 of 2022 arising out of Kotwali (Barari) P.S. Case No. 1174



of 2022.

The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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