

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.44053 of 2023**

Arising Out of PS. Case No.-809 Year-2022 Thana- MASAUDHI District- Patna

Vikash Kumar S/o Suresh Prasad @ Mukesh Yadav Resident of village-  
Malikana, P.S.-Masaurhi, District-Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ajay Kumar Sinha

For the Opposite Party/s : Mr.Sanjay Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      21-07-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 8, 20(b)(ii) of the N.D.P.S. Act.

As per prosecution case, the rented room of the petitioner was searched by the police where co-accused Deepak Kumar was arrested with total 1.170 Kg ganja.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case merely on the basis of suspicion. Neither anything has been recovered from the conscious possession of the petitioner nor he has concern with the alleged recovery. The said ganja was recovered from the possession of co-accused Deepak Kumar, which is small in quantity. Similarly situated



co-accused namely Deepak Kumar has already been granted bail by a co-ordinate Bench of this Court vide order dated 25.05.2023 passed in Cr. Misc. No. 27938 of 2023. The petitioner is languishing in judicial custody since 02.12.2022.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Masaurhi P.S. Case No. 809 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 Court of A.D.J.-XVII, Patna.

(Sunil Kumar Panwar, J)

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