

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48479 of 2023

Arising Out of PS. Case No.-217 Year-2022 Thana- SAHAR District- Bhojpur

VIKASH KUMAR PANDEY@VIKASH PANDEY@ BABA SON OF RAM
ISHWAR PANDEY RESIDENT OF VILLAGE- DIUL, P.S. JAGDISHPUR,
DISTRICT- BHOJPUR

... .. Petitioner/s

Versus

1. UNION OF INDIA BIHAR
2. The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Karn, Advocate
For the Opposite Party/s : Mr. K.N.Singh (A.D.S.G), APP

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

ORAL ORDER

2 08-08-2023 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.

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

3. The petitioner has preferred this application for grant of regular bail in connection with Sahar P.S Case No. 217 of 2022 dated 28.09.2022 registered for the offence punishable u/s 21(b), 29 of the N.D.P.S. Act.

4. As per the prosecution case, total 58 grams heroin like substance, a mobile and Rs. 2600/- in cash and other articles were recovered from the possession of the co-accused.

5. Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in this case. The seized contraband is not of commercial quantity. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the co-accused Prabhat Kumar. The other co-accused person has already been granted bail by the co-ordinate bench of this Court vide order dated 22.05.2023 passed in Cr. Misc. No. 24692 of 2023. The petitioner has two criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 13.02.2023.

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

7. 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, Ara in connection with Sahar P.S. Case No. 217 of 2022.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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