

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49076 of 2023**

Arising Out of PS. Case No.-131 Year-2022 Thana- AAYAR 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 New Delhi
2. The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Karn

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

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

ORAL ORDER

- 2 04-08-2023 1. 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 Ayar P.S. Case No. 131 of 2022 dated 22.11.2022 registered for the offence punishable u/ss 8 and 21(b) of the NDPS Act.
4. As per the prosecution case, 112.690 grams of heroin is alleged to have recovered from the pocket of the pant of the petitioner.



5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged recovery. Learned counsel has further submitted that the seized contraband is not of commercial quantity. The petitioner is accused in two other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 23.11.2022.

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, Bhojpur at Ara in connection with Ayar P.S. Case No. 131 of 2022.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

U		T	
---	--	---	--

