

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53997 of 2023

Arising Out of PS. Case No.-214 Year-2023 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Vikash Kumar @ Vikash Son Of Late Upendra Singh @ Late Upendra Prasad
Singh Resident Of Village - Adarsh Nagar Ulao, Ward No.8, P.S. - Mufassil
(SINGHAUL), District - Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Rajendra Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 18-10-2023 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner has prayed for regular bail in a

case registered for the offence punishable under sections8,

20(b)(ii)(B), 22 of the N.D.P.S. Act.

3. As per prosecution, the petitioner along with co-

accused Subhash Kumar are alleged to have been

apprehended and from their house, total 17 kg ganja like

contraband substance including cash of Rs. 1,12,670/- were

recovered.

4. Learned counsel for the petitioner submits that

the petitioner is innocent and has committed no offence. He



has falsely been implicated in this case. The petitioner has no concern with the alleged recovery of ganja like narcotic substance as the same was recovered from his own brother Subhash Kumar who was also made accused in this case. The recovered contraband is alleged to be 17 kg which does not come under purview of commercial quantity as per N.D.P.S. Act. The co-accused Subhash Kumar claimed about the seized cash that the same was his own money. It is further submitted the provision of N.D.P.S. Act has not been followed by the prosecution. The petitioner has got no criminal antecedent and languishing in judicial custody since 15.4.2023.

5. Learned APP appearing for the State has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period of the petitioner, this court is inclined to enlarge him on bail. The above named petitioner is directed to be released on bail in connection with Muffasil (Singhaul) P.S. Case No. 214 of 2023 on furnishing bail bond of



Rs.10,000/- (ten thousand) with two sureties of the like
amount each to the satisfaction of learned Additional
Sessions Judge-I, Begusarai.

(Sunil Kumar Panwar, J)

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