

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55496 of 2022

Arising Out of PS. Case No.-144 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Nawada

Kaushal Kumar, aged about 24 years, Male, S/o Surendra Kumar Ray, R/o
Village- Maharajganj Raili, P.S.- N.T.P.C. Bar, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Narcotics Control Bureau Patna through its Intelligence Officer Union of India New Delhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ansul, Adv.
	:	Mr. Navneet Kumar, Adv.
	:	Mrs. Usha Kumari Singh, Adv.
For the State	:	Mr. Ram Sevak Choudhary, APP.
For the UOI	:	Mr. Awadhesh Kumar Pandey, Sr. Panel Lawyer.
	:	Mr. Ravinder Kumar Sharma, CGC.
	:	Mr. Lokesh, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 22-02-2023 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State as well as learned counsel for the Union of
India.

The petitioner seeks regular bail in connection with
Nawada (Excise) P.S. Case No. 144 of 2022, lodged under
Sections 8, 20(ii)b of NDPS Act. 1985.

As per prosecution case, the petitioner was
apprehended when he was coming from Ranchi to Patna and 5 kg
ganja is alleged to be recovered from his possession.

Learned counsel for the petitioner submits that there



were 2 accused persons, from one accused person 5 kg of ganja was recovered and from another accused person 7 kg ganja was recovered. He further submits that there is a gross violation of Section 100 of Cr.P.C. and Section 50 of NDPS Act. He also submits that the said recovered quantity is much below than the commercial quantity. Learned counsel for the petitioner further submits that petitioner is a student, having clean antecedent and he is in custody since 19.06.2022.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Nawada in connection with Nawada (Excise) P.S. Case No. 144 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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