

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59983 of 2023

Arising Out of PS. Case No.-348 Year-2022 Thana- MOKAMAH District- Patna

Niwas Singh @ Niwash Kumar Son Of Late Krishnandan Singh Resident Of
Village Kusahri @ Kuserhi, P.S. Barbigha, District Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar

For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 8/20(b)(ii)
(c) of the N.D.P.S. Act.

As per prosecution case, the co-accused persons,
namely, Dhiphulendra Kumar was apprehended on the spot
along with a vehicle and upon search of that alleged vehicle
total 21 kg ganja was recovered. It is further alleged that co-
accused dragged name of the petitioner.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in the present case merely on the basis
of confessional statement of co-accused. The petitioner has no



concern with the alleged recovery and he was also not apprehended on the spot. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. It is further submitted that co-accused who confessed name of the petitioner has already been granted bail by a coordinate Bench of this Court vide order dated 40152 of 2023. The petitioner is languishing in judicial custody since 17.11.2022.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Mokama P.S. Case No. 348 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court.

(Sunil Kumar Panwar, J)

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