

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56682 of 2022

Arising Out of PS. Case No.-866 Year-2022 Thana- DANAPUR District- Patna

PANKAJ KUMAR S/O SRI MOHAN PRASAD Resident of Village-
Lodipur, Chandmari, Danapur, P.S.- Sahpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha

For the Opposite Party/s : Mr.Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 20-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered for the offence punishable under sections 21(a) of the NDPS Act and Section 399, 402, 201, 120(b) of the Indian Penal Code and sections 25(1-b)a, 26 and 35 of the Arms Act.

As per allegation in the FIR, on getting secret information about running flesh trade in a hotel of which petitioner was manager, police surrounded the hotel and checked the rooms of hotel. When room no. 108 was opened by the police personnel, four persons were apprehended and on search, one loaded country made pistol, 3.23 gram (without paper) and 5.38 gram(with paper) of brown sugar like substance kept in various sachet were recovered and seizure list was



prepared in presence of two hotel staffs.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. The alleged recovery has been made from other co-accused persons and not from the possession of this petitioner. The alleged recovered quantity of brown sugar comes within the purview of lesser quantity. Petitioner is manager of the alleged hotel and due to this reason, he has been dragged in the present case. Section 399, 402, 201/34 of the IPC is not attracted in the present case against the petitioner as he is admitted to be Hotel Manager and he has helped the police in opening the alleged room with master key, which was locked from inside. Till date there is no any case of immoral trafficking against the petitioner. Petitioner is languishing in judicial custody since 21.08.2022.

The application for bail is opposed by learned APP for the State.

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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court



of Sessions Judge/Spl. Judge, Patna in connection with NDPS
Case No. 187 of 2022 arising out of Danapur P.S. Case No. 866
of 2022.

(Sunil Kumar Panwar, J)

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