

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65689 of 2023

Arising Out of PS. Case No.-5 Year-2023 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- East Champaran

-
1. Chandan Kumar Yadav @ Chandan Kumar Son Of Prabhu Rai Yadav Village Bishunpur Bairiya Ps Simaungarh District Bara (NEPAL)
 2. Ram Pravesh Yadav Son Of Rameshwar Prasad Yadav Village- Bishunpur Bairiya, Ps- Simaungarh, Dist- Bara (NEPAL)

... .. Petitioner/s

Versus

Narcotic Control Bureau, Patna Zone Unit Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ramakant Sharma, Sr.Adv
For the Opposite Party/s :	Mr. Awadesh Kumar Pandey (Sr. CGC)
	Mr. Ramesh Kumar
	Mr. Lokesh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioner and learned
counsel on behalf of the NCB.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 8(c), 18, 23, 25 and 29 of the NDPS Act.

3. Prosecution case relates to recovery of 1 kg of Opium from a motorcycle bearing Reg. No. BR05AP 7203.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioners and



also the recovered opium does not come within the purview of the commercial quantity as per NDPS Act. A statement has been made in para-3 of this petition that the petitioners have got no criminal antecedent. Moreover, they are languishing in judicial custody since 18.03.2023.

5. Learned counsel appearing on behalf of the NCB 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 of the petitioners, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with NCB Case No PZU/V/05/2023 on each of them furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, East Champaran, Motihari.

(Sunil Kumar Panwar, J)

shubham/-

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

