

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67828 of 2022

Arising Out of PS. Case No.-525 Year-2022 Thana- ARA NAWADA District- Bhojpur

Niranjan Yadav Son of Late Chhatthu Prasad Resident of New Bypass,
nandlal Chapra, P.S- Ramkrishna Nagar, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance:

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate Ms. Vaishnavi Singh, Advocate Mr. Ritwik Thakur, Advocate
For the Opposite Party/s	:	Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 23-03-2023 Let the defects, if any, pointed out by the office be removed within four weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Ara Nawada P.S. Case No. 525 of 2022 registered for the offence punishable under Section 21(b) of the NDPS Act.

As per the prosecution, the police personnel while vehicle checking seized the alleged vehicle, apprehended this petitioner with the co-accused persons and upon search of the seized vehicle recovered 52 grams of contraband suspected to be ‘*Heroin*e’ and 05 grams of contraband suspected to be ‘*Ganja*’

and some cash etc.

The main submissions advanced by learned counsel for petitioner are that the petitioner has been languishing in jail since 24.06.2022 and as per the prosecution the petitioner was apprehended with two co-accused persons namely, Rohit Kumar and Nikhil Raj from the alleged vehicle and as per the prosecution the petitioner is said to have purchased the said vehicle from one namely, Ashok Kumar but in actual the petitioner did not purchase the said vehicle and he has been wrongly shown as owner of the alleged vehicle and the instant matter relates to the recovery of 52 grams of narcotic material believed to be *heroine* and the same is below the commercial quantity and the petitioner's trial has started and upon him charges have been framed and two co-accused persons namely, Rohit Kumar and Nikhil Raj who were apprehended alongwith the petitioner, have been granted bail by a co-ordinate bench of this Court vide order passed in Cr. Misc. No. 62450 of 2022 and the petitioner is on bail in his two criminal antecedent cases.

Learned APP for the State has opposed the bail prayer.

In view of the facts, as stated above and mainly considering the facts that the trial of the petitioner has started and two co-accused persons who were also apprehended with

this petitioner are on bail as mentioned above and the petitioner has been languishing in jail since 24.06.2022, in my opinion, petitioner deserves to a lenient approach of this Court. Accordingly, let the petitioner named above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court in connection with Ara Nawada P.S. Case No. 525 of 2022.

(Shailendra Singh, J)

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