

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64276 of 2022

Arising Out of PS. Case No.-18 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.
District- Rohtas

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SANJAY KUMAR Son of Late Raghu Mahto R/V- Maanamat, P.S- Vashist
Nagar Jodi, Distt- Chatra (Jharkhand)

... .. Petitioner/s

Versus

The Narcotics Control Bureau, Zonal Unit, Patna. Through the Union of India
Govt. of India

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mahendra Thakur, Advocate. Mr. Vijay Kumar, Advocate.
For the Union of India	:	Mr. Awadhesh Kumar Pandey, Sr. C.G.C. Mr. Radhika Raman, C.G.C. Mr. Lokesh, Advocate.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 22-03-2023 Learned counsel for the petitioner is permitted to

remove defect(s), as pointed out by the office, if any, within a

period of four weeks from today.

Heard learned counsel for the petitioner and learned

counsel for the Union of India.

The petitioner has preferred this application for grant

of regular bail in connection with NCB (Cri.) Case No. 18 of

2022 Corresponding to N.D.P.S. Case No. 20 of 2022 registered

for the offences punishable under Sections 8(C), 21(C) and 29

of the Narcotic Drugs and Psychotropic Substances Act.

As per the prosecution case, total 390 grams heroin



was recovered from the bag of the co-accused Sanjeet Kumar Mishra and the petitioner was sitting beside the co-accused person in the Bus.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. No such occurrence as alleged has ever taken place. Nothing has been recovered from the conscious possession of the petitioner. The name of the petitioner has been dragged in this case on mere suspicion. Learned counsel has further submitted that the CDR of the petitioner does not suggest that there was telephonic talk between the petitioner and the co-accused person prior to the alleged occurrence. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 18.07.2022.

Learned A.P.P. for the State has vehemently opposed the prayer of bail of the petitioner by submitting that the CDR of the petitioner shows that telephonic talk was held between the petitioner and the co-accused Sanjeet Kumar Mishra on the date of the alleged occurrence.

Considering the aforesaid facts and circumstances of the case as well as period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond



of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Rohtas at Sasaram in connection with NCB (Cri.) Case No. 18 of 2022 Corresponding to N.D.P.S. Case No. 20 of 2022 with the condition:-

1. the petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner is liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

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