

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70102 of 2022**

Arising Out of PS. Case No.-263 Year-2022 Thana- MUFFASIL District- Aurangabad

AKLESH KUMAR YADAV @ AKLESH Kumar S/o Fatuli Yadav @ Fatuli
R/v- Jhardag, P.S.- Lavlaung, District- Chatra (Jharkhand)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Leelawati Kumari
For the Opposite Party/s : Mr.APP

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 20-03-2023 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 8, 17(b), 18(b) of the
Narcotic Drugs and Psychotropic Substance Act.

Prosecution case relates to recovery of 1.1 kg. wet
opium like substance and 1 kg. dry opium like substance kept
in the bag of the petitioner.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. Nothing has been recovered from conscious possession
of the petitioner. The seizure list is manipulated by the police
and they have not complied the mandatory provision of Section
50 of the NDPS Act. Allegedly, recovery of 2.1 kg opium has to



be shown, which comes below the commercial quantity. He has been falsely implicated in this case. He has no criminal antecedent. Petitioner is languishing in judicial custody since 21.7.2022.

Learned APP appearing for the State has opposed the prayer of 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 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 1st Additional District and Sessions Judge-cum-Special Judge (NDPS), Aurangabad in connection with Aurangabad Mufassil P.S. Case No. 263 of 2022.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

