

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1300 of 2023

Arising Out of PS. Case No.-295 Year-2022 Thana- ARA NAGAR District- Bhojpur

Vikash Mali @ Vikash Kumar Mali Son Of Viswanath Mali R/O Mohalla-
Gaus Ganj, P.S.- Ara Town, District- Bhojpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar

For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-03-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application
for grant of regular bail in a case registered for the
offences punishable under Sections 21(b), 25, 26, 27 of
N.D.P.S. Act.

It is a case of recovery of 124 grams (including
the polythene) of Heroine/Smack like narcotics
substance from the possession of petitioner.

It is submitted by learned counsel for the
petitioner that the petitioner is innocent and he has
falsely been implicated in the present case. There is no



any independence witness of the alleged seizure. It is also submitted vide para 11 of the petition that the alleged seized contraband was not sealed at the place of seizure, which itself creates doubt on the alleged seizure. Moreover, the petitioner is languishing in judicial custody since 03.04.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with N.D.P.S. Case No. 51 of 2022, arising out of Ara Nagar P.S. Case No. 295 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District &



Session Judge XVIII, Bhojpur, Ara.

(Sunil Kumar Panwar, J)

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