

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73382 of 2022

Arising Out of PS. Case No.-456 Year-2020 Thana- KUDHNI District- Muzaffarpur

BIPIN KUMAR S/o Shiv Narayan Sah R/v- Gavasara, P.S.- Kudhani Turki
(O.P.), District- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union Of India Through Ncb, Patna Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha
For the Opposite Party/s : Mr.Md. Fahimuddin

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 regular bail in a case registered for the offence punishable under sections 8, 20, 22 of the N.D.P.S. Act.

The prosecution story, in brief, is that while the informant along with police personnel were on patrolling duty, they apprehended co-accused namely, Pappu Kumar and from whose possession, 1kg *Charas* like substance was recovered. The apprehended persona disclosed the name of the petitioner saying that the delivery of recovered item was for this petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Neither the petitioner was



apprehended on spot nor any incriminating article has been recovered from his conscious or constructive possession rather his name has come into light on the basis of confession made by apprehended co-accused namely, Pappu Kumar from whose possession *charas* like substance was recovered. It is further submitted that the petitioner is languishing in judicial custody since 15.9.2021.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kudhani Tukri (O.P.) P.S. Case No. 456 of 2020 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IIInd, Muzaffarpur.

(Sunil Kumar Panwar, J)

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