

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.992 of 2023

Arising Out of PS. Case No.-425 Year-2022 Thana- BARACHATTI District- Gaya

KARAN KUMAR @ PINTU S/O Ghanshyam Prasad R/O Village- Paranpur,
P.S- Paraiya, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No2

For the Opposite Party/s : Mr. Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 21-04-2023 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 18, 20, 22 of the Narcotic Drug Psychotropic Substance Act.

The prosecution story, in brief, is that the police party reached near Bal Vikash Pariyojana Bhawan after getting secret information then the accused persons tried to flee away but three of them were arrested on spot along with two motorcycles. Upon search, 350 gram brown sugar along with 500 gram *Sattu* like substance was recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner has no concern with the alleged recovery of narcotic substance or with



the motorcycles in question. From perusal of FSL Report, it appears that Caffeine was detected in the seized material and the same is naturally found in coffee and other beverages. It is further submitted that the seizure list witness are police official not a single independent witness which violates the provision of 100 of Cr.P.C. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 29.5.2022.

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 Baracgattu P.S. Case No. 425 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-Vth, Gaya.

(Sunil Kumar Panwar, J)

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