

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.81075 of 2023**

Arising Out of PS. Case No.-618 Year-2023 Thana- KHAJANCHI HAT District- Purnia

SHIVAM KUMAR @ SHIVAM YADAV SON OF ARBIND YADAV R/O  
LEELA MALI WARD NO. 6, P.S.- BHAWANIPUR, DISTT.- PURNIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sanjeev Kumar Singh

For the Opposite Party/s : Mr.Mohammed Arif

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

2      18-12-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 8(C), 21(b) of NDPS Act.

3. As per allegation in the FIR, on getting secret information police party proceeded towards place of occurrence, and apprehended the co-accused Suraj Sadan and from his possession one mobile and 10.7 gram smack like substance was recovered. He disclosed the name of the petitioner.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. Neither the petitioner was arrested on spot nor any



incriminating material has been recovered from his conscious possession. The said recovery of smack was made from co-accused Suraj Sada who disclosed the name of the petitioner as his associate. It is also submitted that Suraj Sada has already been granted bail by this Court vide order dt. 3.10.2023 passed in Cr. Misc. No. 50637 of 2023. Moreover, he is languishing in judicial custody since 12.7.2023.

5. Learned APP appearing for the State has opposed the prayer of Bail.

6. 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 Court of Special Judge NDPS Act, Purnea in connection with K. Hat (Maranga) PS Case No. 618 of 2023.

**(Sunil Kumar Panwar, J)**

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