

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15044 of 2024

Arising Out of PS. Case No.-12 Year-2021 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Purnia

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Guddu Kumar @ Guddu Bhaiya S/O Late Suraj Narayan Paswan R/O
Mohalla- Vishnupuri, Ambedkar Chowk, Purani Bhatti, P.S- Gardanibagh,
Distt.-PATNA.

... .. Petitioner/s

Versus

The Union Of India Through Narcotics Control Bureau, Patna. Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhukar Anand, Advocate
For the UOI/NCB : Mr. Ram Anurag Singh, CGC

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

4 10-05-2024 Heard Ld. counsel for the Petitioner and Ld. APP for
the State.

2. The petitioner seeks bail in connection with Special
Case No. 173 of 2023 / 53A of 2021 arising out of NCB Crime
No. 12 of 2021 dated 04.06.2021, registered for the offences
punishable under Section 8(c) read with Sections 21(c), 25 and
29 of the NDPS Act, 1985.

3. As per allegation, 710 gram of brown color
substance appearing to be morphine was recovered from the
possession of the accused persons.

4. Ld. counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this



case. He further submits that co-accused persons, namely, Rahul @ Samrat and Rohit Kumar have already been enlarged on bail and his case is similar to that of those two co-accused persons.

5. He further submits that the Petitioner has been languishing in jail since 07.02.2023.

6. It has also been stated in paragraph no. 3 of the bail petition that the Petitioner has earlier been made accused in three other cases.

7. However, Ld. counsel for the NCB/IOI vehemently opposes the prayer of the petitioner for bail submitting that the allegation against the petitioner is very serious in nature. He is the kingpin of whole illegal trade of contraband under NDPS Act. As per the statement of the co-accused, petitioner was the main person who engaged other some co-accused to sell the contraband. Moreover, he is habitual offender under the NDPS Act because he has already three criminal antecedents under the NDPS Act. He has been also detained by the Government under Section 9(b) of PIT NDPS Act, 1988 and the same has been confirmed by Hon'ble Advisory Board vide order dated 24.01.2024.

8. Considering the aforesaid facts and circumstances, particularly the nature of allegation and the criminal antecedents



of the petitioner, this Court is not persuaded to enlarge the petitioner on bail.

9. The present petition is dismissed, accordingly.

(Jitendra Kumar, J.)

Shoaib/
Ravi Shankar

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