

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14240 of 2024

Arising Out of PS. Case No.-887 Year-2023 Thana- SUPAUL District- Supaul

Ajit Kumar, Son of Nageshwar Mehta, age 30 years, Male Resident of
Kamalpur, Ward no. 03, P.S.- Ghailadh (O.P.), District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Naresh Kumar Mehta, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha-1, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 29-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Supaul
PS Case No. 887 of 2023 instituted for the offences punishable
under Sections 21 (a) of the NDPS act and Section 30 (a) of the
Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 51 bottles of
Codeine Phosphate and Triprolidine Hydrochloride Syrup liters
were recovered from the place where accused persons were
sitting.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case only on the basis of
suspicion. He next submits that the he has no concern with the
alleged recovery. There is no independent witness in the seizure



list. Petitioner has got clean antecedent as stated in para-3 of the petition and he is in custody since 28.11.2023.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR, seizure list and impugned order of the learned Sessions Judge, Supaul dated 17.01.2024, it appears that there is no recovery from the conscious possession of the petitioner and he has been falsely implicated in this case. There is no independent witness in the seizure list. Similarly situated co-accused persons namely, Surendra Yadav @ Mahadev Yadav and Santosh Kumar @ Santosh Yadav have been granted bail by a co-ordinate Bench of this Court in Cr. Misc. Nos. 12334 of 2024 and 12618 of 2024 dated 28.02.2024. Petitioner is in custody since 28.11.2023, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 5,000/- (Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge, N.D.P.S./ Excise, Supaul in connection with Supaul PS Case No. 887 of 2023.

(Ramesh Chand Malviya, J)

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