

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19905 of 2024

Arising Out of PS. Case No.-235 Year-2023 Thana- SURYAPURA District- Rohtas

Deepak Kumar, aged about 28 years, Male, S/O Late Jangbahadur Singh R/O
Village- Shivganj Balihar, Post and P.S- Suryapura, Distt.- Rohtas.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Samrendra Jha, Advocate
For the Opposite Party/s	:	Mr. Pushpa Sinha.1, APP

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

ORAL ORDER

2 28-03-2024 Heard learned counsel appearing on behalf of the parties.

2. The petitioner seeks bail registered for the offence under Sections 20(b) and 22(b) of the NDPS Act.

3. As per the prosecution case, it is a case of purchase of heroin and assembled at the Darwaja of one Munshi Giri.

4. Learned counsel for the petitioner has submitted that petitioner has falsely been implicated in this case. He next submits that only cash of Rs.13,100/- has been recovered from the possession of petitioner but no independent witness of seizure list. Petitioner has got clean antecedent as stated in para-3 of the petition and he is in custody since 04.11.2023.



5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. On perusal of the seizure list and impugned order dated 19.01.2024, it appears from the seizure list that only cash of Rs.13,100/- and two mobile phones were recovered from the possession of this petitioner and no incriminating article has been recovered from him and incriminating article has been recovered from the other co-accused persons and not this petitioner, let the petitioner, above named, be directed to be released on bail in connection with Special Case No. 03 of 2024 arising out of Suryapura P.S. Case No.235 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-V, Rohtas at Sasaram.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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