

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17495 of 2024

Arising Out of PS. Case No.-139 Year-2021 Thana- PHULWARIYA District- Gopalganj

Shailesh Chauhan Son Of Sudama Chaudhan Resident Of Village - Fatehpur
(DIGHA), P.S. - Mirganj, District - Gopalganj

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 28-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 414 and 34 of the Indian Penal Code and Sections 20(b) (ii) (c), 25 and 27 of N.D.P.S. Act.

3. Prosecution case relates to recovery of 500 grams of charas like intoxicating substance from the possession of apprehended co-accused person, namely, Vikash Patel and he confessed the name of the petitioner.

4. 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 was neither apprehended on spot nor any incriminating article has been



recovered from his conscious possession. His name has been transpired on the basis of confessional statement of apprehended co-accused before the police which has got no evidentiary value in the eye of law. Moreover, the petitioner is languishing in judicial custody since 20.10.2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. 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 Pulwariya P.S. Case No. 139 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VIII-cum-Special Judge, N.D.P.S., Gopalganj.

(Sunil Kumar Panwar, J)

Shubham/-

U		T	
---	--	---	--

