

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20943 of 2024

Arising Out of PS. Case No.-1 Year-2023 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Patna

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Pravesh Kumar @ Pravesh Yadav S/o Vichhnandan Yadav resident of village -
Hiratola, Ward No.02, Raghunathpur Barari, P.S. - Sahebpur Kamal, Distt. -
Begusarai

... .. Petitioner/s

Versus

The Union of India, through the Narcotics Control Bureau, Patna Unit Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mahendra Thakur, Advocate
For the U.O.I. (NCB) : Mr. Ram Anurag Singh, CGC

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 06-05-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with F. No.
NCB/PZU/V/01/2023 (NCB Case No. 01 of 2023) instituted for
the offence under Sections 8(c), 21(c), 22(c) & 29 of the NDPS
Act.

3. Prosecution case in short is that on confidential
information received to NCB, 920 grams of light brown colour
powder substance, believed to be 'Heroin' recovered from the
the possession of co-accused persons, namely, Abdul Karim and
Chandan Yadav.

4. It has been submitted on behalf of the petitioner



that the petitioner is in custody since 13-10-2023. Petitioner bears one criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Name of the petitioner has transpired on the basis of confessional statement of co-accused, namely, Chandan Yadav, and the same has no evidentiary value. It is submitted by referring to confessional statement of co-accused, namely, Chandan Yadav, which is annexed as Annexure-2 to the bail application, that the co-accused, Chandan Yadav has made some conversation with this petitioner and one Shankar Yadav regarding this batch of Heroine. It is also submitted that nothing has been recovered from the conscious possession of the petitioner and petitioner has no concern with the recovered contraband. It is next submitted that no a single witness has come forward to suggest that a conversation was made between the petitioner and the co-accused, namely, Chandan Yadav.

6. Learned counsel for the Union of India has vehemently opposed the prayer for grant of bail to the petitioner. The name of the petitioner has been disclosed on the basis of confessional statement of co-accused, namely, Chandan Yadav



and the recovered contraband falls under the commercial quantity.

7. Considering the aforesaid facts and circumstances of the case and period of custody of the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, **after framing of charge, if not already framed**, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with F. No. NCB/PZU/V/01/2023 (NCB Case No. 01 of 2023).

(Rudra Prakash Mishra, J)

Raj Kishore/-

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