

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27452 of 2024

Arising Out of PS. Case No.-383 Year-2023 Thana- UDWANTNAGAR District- Bhojpur

Pintu Singh @ Ranjeet Kumar Singh S/o Bansidhar Singh R/o vill - Kawra,
P.S. - Jagdishpur, Distt - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

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

ORAL ORDER

2 10-04-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with NDPS Case No. 68 of 2023, arising out of Udwanthnagar P.S. Case No. 383 of 2023, instituted for the offences punishable under Sections 21(b) and 28 of the NDPS Act.

3. The prosecution case, in short, is that, there is recovery of 200 grams of brown sugar from the co-accused persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious



possession of the petitioner. Name of the petitioner has transpired on the basis of confessional statement made by the co-accused persons namely Pawan Kumar Singh, Anand Kumar Singh and Munna Singh. There is no recovery of alleged contraband from the possession of the petitioner. The recovered contraband is below the commercial quantity. Hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. The petitioner has surrendered before the court below on 28.11.2023 and has got no criminal antecedent. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act. Learned counsel for the petitioner further submits that similarly situated co-accused have been granted bail by this Court vide order dated 04.03.2024 passed in Cr. Misc. No. 12999 of 2024, order dated 20.03.2024 passed in Cr. Misc. No. 4982 of 2024 and has been granted bail by a Co-ordinate Bench of this Court vide order dated 20.02.2024 passed in Cr. Misc. No. 9583 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.



7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with NDPS Case No. 68 of 2023, arising out of Udwanatnagar P.S. Case No. 383 of 2023.

(Rudra Prakash Mishra, J)

Rajorshi/-

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