

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33255 of 2024**

Arising Out of PS. Case No.-121 Year-2023 Thana- DANAPUR RAIL P.S. District- Patna

Vikash Patel Son of Chhotu Lal Patel Resident of Village- Oriyar Chowk, P.S.- Haraiya,
District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prateek Tandon, Adv.

For the Opposite Party/s : Mr.Dinesh Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 08-05-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Special (NDPS) P.S. No. 259 of 2023 arising out of Rail Danapur P.S. Case No. 121/2023 dated 21.05.2023 registered for the offences punishable u/ss 8, 20(b)(ii)(C), 18, 22 of the N.D.P.S. Act.

3. As per the prosecution case, total 22.3 Kgs. of Charas was recovered from the backpack of the co-accused persons. It is further alleged that the petitioner is engaged in illegal business of Charas.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. No incriminating material has been recovered from the conscious possession of the petitioner rather the recovery has been made from the co-accused persons. It is further submitted that the petitioner has no concern with the alleged offence. The petitioner has no criminal



antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 20.05.2023..

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner. The seized contraband is commercial quantity.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court, N.D.P.S. No. -2, Patna in Connection with Special (NDPS) Case No. 259/2023, with the condition/s:-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the prosecution will be at liberty to move for cancellation of his bail bond.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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