

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36171 of 2024

Arising Out of PS. Case No.-876 Year-2023 Thana- RAMKRISHNANAGAR District- Patna

Amit Raj @ Atul son of Shri Vijay Kumar Raut Resident of Mohalla- Gayatri
Indane Gas Godown, P.S.- Jamalpur, Dist.- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Prabhakar Thakur, Adv
	:	Mr. Shantanu Kumar, Adv
For the Opposite Party/s	:	Mr. Umesh Lal Verma, APP

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

ORAL ORDER

3 11-07-2024 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 Ramkrishna Nagar P.S. Case No. 876/2023 dated 25.12.2023 registered for the offence punishable u/s 8(c), 21(c), 25 and 29 of the N.D.P.S Act.

3. As per the prosecution case, total 506 grams of smack was recovered from the lap of the co-accused, Abhishek Kumar Gupta who was sitting in the car. The petitioner was riding on the motorcycle. The apprehended co-accused persons disclosed that the petitioner and the co-



accused persons arranged the said contraband.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. Similarly situated co-accused has already been granted bail by the co-ordinate bench of this court *vide* order dated 14.05.2024 passed in Cr. Misc. No. 26354 of 2024. Learned counsel has submitted that the recovery was made from the car whereas the petitioner was riding a motorcycle, from which a mobile phone was recovered from the possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 26.12.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that 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 Court concerned, Patna in connection
with Ramkrishna Nagar P.S. Case No. 876/2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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