

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35283 of 2024

Arising Out of PS. Case No.-13 Year-2024 Thana- SASARAM RAIL P.S. District- Gaya

Aakash Singh @ Akash Kumar Son of Dablu Singh Resident of Village -
Kishorganj, New Anand Nagar, Road no. 1, P.S. - Sukhdeo Nagar, Distt. -
Ranchi (Jharkhand). Petitioner/s

Versus

1. The State of Bihar Patna
2. The Union of India Through the Narcotic Commissioner, New Delhi New
Delhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Adv
For the Opposite Party/s : Mr. Anil Kumar, APP

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

ORAL ORDER

2 16-05-2024 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 Rail Sasaram (Dehri)
P.S. Case No. 13 of 2024 dated 29.01.2024 registered for the
offences punishable u/s 8(c) and 21(b) of the N.D.P.S Act.

3. As per the prosecution case, total 30 grams Brown
Sugar was recovered from the possession of the petitioner.

4. Learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in
this case. The name of the petitioner has transpired in this case
only on the basis of the suspicion. It is further submitted that the
said recovery is less than the commercial quantity. It is further



submitted that Section 37 of the N.D.P.S Act is not applicable 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 09.05.2024 passed in Cr. Misc. No. 33624 of 2024. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 30.01.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

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, Gaya in connection with Rail Sasaram (Dehri) P.S. Case No. 13 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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