

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41634 of 2024

Arising Out of PS. Case No.-139 Year-2024 Thana- KUDRA District- Kaimur (Bhabua)

1. Ajit Dubey Son of Kashinath Dubey Village- Uchinar, P.S.- Belaon, Distt.- Kaimur At Bhabua
2. Harendra Bind Son of Sri Janardhan Bind Village- Devdihi, P.S.- Chenari, Distt.- Rohtas At Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey, Advocate
For the Opposite Party/s : Ms.Sharda Kumari, APP

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

ORAL ORDER

2 19-06-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with Kudra
P.S. case No. 139 of 2024 instituted for the offences under
Sections 8(c), 21(a) of the N.D.P.S. Act.

3. Prosecution case, in short, is that 0.89 gram of
heroine and 0.47 gram of heroine has been recovered from from
petitioner no.1 and petitioner no.2, respectively. Total 1.36
grams of heroine has been recovered in this case.

4. Learned counsel for the petitioners submitted that
the petitioners have falsely been implicated in the present case.
Petitioners are in custody since 19.04.2024 and have no criminal



antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. No incriminating material has been recovered from the conscious possession of the petitioners. The recovered contraband is below the small quantity. There is no compliance of Section 42 and 50 of the N.D.P.S. Act.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case, recovered contraband being less than small quantity, clean antecedent of the petitioners as also the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kudra P.S. case No. 139 of 2024.

(Rudra Prakash Mishra, J)

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