

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52551 of 2024

Arising Out of PS. Case No.-153 Year-2024 Thana- ARA NAGAR District- Bhojpur

Rahul Kumar son of Krishna Chandra Yadav Village- Gausganj Gangipur Ps-
Ara Nagar Dist- Bhojpur Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiv Prasad Gupta, Adv
For the Opposite Party/s : Mr.Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 14-08-2024 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 Ara Town P.S. Case No. 153 of 2024 dated 28.02.2024 registered for the offences punishable u/s 8(c), 21(b), 25, 29 of the NDPS Act.

3. As per the prosecution case, 50 gms. of Heroine was recovered from the pocket of the co-accused *Piku Kumar*. On being asked, he disclosed that he purchased the said Heroine from the petitioner and the co-accused *Vikash Kumar, Govinda Kumar*.

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 rather the recovery has been made



from the conscious possession of the co-accused *Piku Kumar* which is less than the commercial quantity. Similarly situated co-accused, namely, *Vikash Kumar* has already been granted bail by the co-ordinate bench of this court *vide* order dated 13.08.2024 passed in Cr. Misc. No. 51535 of 2024. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 29.02.2024.

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 and the allegation levelled against the petitioner 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, Bhojpur in connection with Ara Town P.S. Case No. 153 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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