

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55703 of 2024

Arising Out of PS. Case No.-288 Year-2023 Thana- BIRPUR District- Supaul

Mithilesh Kumar@Mithilesh Yadav S/o Manoj Yadav R/o vill - Lalpur ward
no. 12, Bhimnagar, P.s. - Birpur, Distt. - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar

For the Opposite Party/s : Mr. Tapeswar Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-08-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 08/20(b)(ii)
(c) of the N.D.P.S. Act.

3. Prosecution case relates to recovery of total 50 kg
of ganja like incriminating substance from possession of
apprehended co-accused Mukesh Kumar who disclosed the
name of the petitioner as his associate.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. The petitioner has no
concern with the alleged recovery of ganja like substance or
with co-accused persons. Neither he was arrested on spot nor



any incriminating article has been recovered from his conscious possession. Similarly situated co-accused Umesh Kumar has already been enlarged on bail by this Court vide order dated 26.7.2024 passed in Cr. Misc. No. 53169 of 2024. It is further submitted that the petitioner is languishing in judicial custody since 28.2.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody period, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Birpur (Bhimnagar OP) P.S. Case No. 288 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II, Supaul.

(Sunil Kumar Panwar, J)

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