

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62725 of 2024

Arising Out of PS. Case No.-549 Year-2024 Thana- BIHTA District- Patna

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Bipin Kumar son of Arun Yadav R/V- Village- Raghapur, P.S.- Bihta, Distt.- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Narcotics Control Bureau Patna, through its Intelligence Officer, Union of India Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Usha Kumari Singh, Adv.
For the Opposite Party/s : Mr. Madhura Nand Jha, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 24-09-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Bihta P.S. Case No. 549 of 2024 dated 21.06.2024 registered for the offences punishable under Section 399 and 402 of the Indian Penal Code and Sections 20, 21 and 22 of the N.D.P.S. Act.

3. As per the prosecution case, total 63.490 grams of brown sugar and Rs. 2240/- were recovered from the possession of the petitioner. The petitioner disclosed the name of the co-accused, Rohit Kumar who fled away. Also a motorcycle was recovered, upon asking.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the petitioner disclosed that the motorcycle belongs to the co-accused, Rohit Kumar. The petitioner is not the owner of the seized motorcycle. No incriminating article has been recovered from the conscious possession of the petitioner. The seized contraband is less than commercial quantity. The petitioner has no concern with the alleged recovery. The petitioner has no criminal antecedent as stated at para 3 of the bail petition. The petitioner is in custody since 21.06.2024

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail 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 Sessions Judge/Special Judge(NDPS), Patna in connection with Bihta P.S. Case No. 549 of 2024, with the condition:-

(i) That the petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.



7. The application stands allowed.

(Chandra Prakash Singh, J)

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