

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62447 of 2024

Arising Out of PS. Case No.-744 Year-2023 Thana- RAMKRISHNANAGAR District- Patna

Vishal Kumar, aged about 21 years, Male, Son of Mr. Niranjana Yadav,
Resident of Nandlal Chapra P.S.-Ramkrishna Nagar, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ajay Kumar Thakur, Advocate Ms. Vaishnavi Singh, Advocate Mr. Ritwik Thakur, Advocate
For the Opposite Party/s :	Mr. Anand Kishore Choudhary, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 18-10-2024 Heard learned counsel appearing on behalf of the parties.

2. The petitioner seeks bail in connection with Ramkrishna Nagar P.S. Case No.744 of 2023 registered for the offence under Sections 8, 20(b)(ii), (B), 25 and 29 of the Narcotic Drugs and Psychotropic Substance Act, Section 30(a) of the Bihar Prohibition and Excise Act and Section 25(1-b)a, 26 and 35 of the Arms Act.

3. As per FIR, there is recovery of total 6.30 kgs. of contraband like Ganja, 2.70 litres of illicit liquor and one country made pistol from the house of the petitioner.

4. Learned counsel appearing on behalf of the



petitioner has submitted that petitioner has falsely been implicated in the present case. It is submitted that alleged recovery was not made from either physical conscious possession of the petitioner or from his house. Petitioner is in custody since 30.05.2024. It is further submitted that similarly situated co-accused persons have already been granted bail by this Court and a Bench of this Court.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. From perusal of the FIR and the impugned order of the learned Sessions Judge/Special Judge (NDPS), Patna dated 02.08.2024, it appears that petitioner is not arrested at the spot. The name of the petitioner has been surfaced only on the basis of co-accused. Similarly situated co-accused namely Manoj Kumar and Niranjana Yadav have already been granted bail by this Court and a Bench of this Court in Cr. Misc. Nos. 7480 of 2024 and 25850 of 2024 vide orders dated 13.02.2024 and 04.04.2024, respectively. So, considering the facts and circumstances of the case and submissions made on behalf of the petitioner, let the petitioner, above named, is directed to be released on bail, in connection with Ramkrishna Nagar P.S. Case No.744 of 2023 on furnishing bail bonds of Rs.10,000/-



(Rupees Ten Thousand) with two sureties of the like amount
each to the satisfaction of learned Sessions Judge-cum-Special
Judge (NDPS), Patna.

(Ramesh Chand Malviya, J)

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