

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64634 of 2024

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

Sudhanshu Kumar Suman Son of Krishna Murari Prasad Resident of Bihar -
Bhimnagar, Ward no. 12, Ps- Birpur, Dist- Supaul

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar

For the Opposite Party/s : Mr.Ahmad Ali

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 30-09-2024 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 N.D.P.S. Case No. 47 of 2023 arising out of Birpur (Bhimnagar O.P.) P.S. Case No. 288 of 2023 dated 11.09.2023 registered for the offence/s punishable u/ss 8/20 (b)(ii) (C) of the Narcotic Drugs and Psychotropic Substance Act.

3. As per the prosecution case, police apprehended the co-accused person, Mukesh Kumar and total 50 kgs. Ganja was recovered from his possession who disclosed that the said contraband material had to load on a vehicle whose driver is Mithilesh Kumar.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is the owner of the said vehicle but the same was not being driven by the petitioner at the time of the alleged occurrence. Nothing has been recovered from the conscious possession of the petitioner. The said contraband is recovered from the conscious possession of the co-accused Mukesh Kumar. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 28.05.2024.

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 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, Supaul in connection with N.D.P.S. Case No. 47 of 2023 arising out of Birpur (Bhimnagar O.P.) P.S. Case No. 288 of 2023, with the following condition/s:-

(i). 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 bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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