

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64593 of 2024

Arising Out of PS. Case No.-512 Year-2024 Thana- Excise P.S. District- Aurangabad

Kundan Kumar @ Kundan Kr. Gupta Son of Bharat Prasad @ Bharat Saw
R/O- Jamhaur, P.S.- Jamhaur, Distt.- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Shankar Singh, Adv

For the Opposite Party/s : Mr. Murli Dhar, APP

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

ORAL ORDER

2 05-10-2024 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 Aurangabad Madhya Nishedh Excise P.S. Case No. 512 of 2024 dated 27.05.2024 registered for the offences punishable u/s 20(b), 22 of the N.D.P.S. Act.

3. As per the prosecution case, total 10 kg ganja was recovered from the possession of the petitioner and 5 kg ganja was recovered from the possession of the co-accused *Kush Kumar Sharma*.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has no concern with the alleged



recovery. The seized contraband is less than the commercial quantity. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has one 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 nature of allegation levelled against the petitioner and 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, Aurangabad in connection with Aurangabad Madhya Nishedh Excise P.S. Case No. 512 of 2024, with a 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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