

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73804 of 2023

Arising Out of PS. Case No.-18 Year-2022 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Rohtas

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Bhola Kumhar @ Bhola Prajapti @ Bhola Kumar Son Of Late Gung Kumhar
Resident Of Village- Ward No. 7, Chilhari, P.S.- Dumraon, District- Buxar

... .. Petitioner/s

Versus

1. The Union of India Through The Narcotics Control Bureau, Zonal Unit,
Patna Bihar
2. The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Krishna Chandra
For the Opposite Party/s	:	Mr.K.N. Singh(A.S.G.)
For Union of India	:	Mr. Ram Anurag Singh, CGC

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 10-01-2024 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, if any, within

a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State as well as learned

counsel for the Union of India.

3. The petitioner is apprehending his arrest in

connection with N.D.P.S. Case No. 04 of 2023 arising out of

N.C.B. Patna Case No. 18/2022 dated 17.07.2022 registered for

the offence punishable under Section 8(c) read with 21(c) and

29 of the NDPS Act.



4. As per the prosecution case, total 390 grams heroine was recovered from the possession of the co-accused Sujeet Kumar Mishra.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. Nothing incriminating has been recovered from the possession of the petitioner. The name of the petitioner has surfaced in this case in the confessional statement of the co-accused. It is further submitted that to seek permission to file supplementary affidavit is not tenable in the eye of law.

6. Learned A.P.P. for the State as well as learned counsel for the Union of India have vehemently opposed the prayer for anticipatory bail of the petitioner. Learned counsel for the UOI has further submitted that he seeks permission to file supplementary affidavit.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned,



Rohtas at Sasaram in connection with N.D.P.S. Case No. 04 of 2023 arising out of N.C.B. Patna Case No. 18/2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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