

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77044 of 2023

Arising Out of PS. Case No.-6 Year-2023 Thana- N.C.B (GOVERNMENT OFFICIAL)
District- Muzaffarpur

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AMITESH KUMAR Son of Jai Prakash Ray R/o vill - Pachharwa, P.S. -
Majarganj, Distt. - Sitamarhi (Bihar)

... .. Petitioner/s

Versus

The Union of India New Delhi

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Arun Kumar, Advocate
For the Opposite Party/s	:	Mr. K.N.Singh (A.D.S.G)
For the NCB	:	Mr. Ram Anurag Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 4 29-02-2024 1. Heard learned counsel for the petitioner and
learned Central Government counsel for the NCB.
2. The petitioner has preferred this application for
grant of regular bail in connection with NCB Patna Zonal Unit
Crime no. 6 of 2023 registered under section 8C read with
sections 18, 27A, 29 and 62 of the NDPS Act.
3. As per the prosecution case, 5.9 kgs. of opium
besides other articles was recovered from the three accused
persons including the petitioner herein and they were taken into
the custody.
4. Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the case. Referring to
the seizure list it is submitted that it is clearly mentioned therein



that opium was allegedly recovered not from the petitioner but from the co-accused Rahul Ranjan. Other articles were also recovered from possession of the other co-accused and not from the petitioner who is in custody since 23.3.2023 and charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned Central Government counsel appearing for the NCB who submits that huge commercial quantity of opium was recovered from possession of the accused persons and the petitioner along with others were taken into custody on the spot.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R, recovery of 5.9 kgs. of opium besides other articles as mentioned in the F.I.R together with the petitioner having been arrested on the spot, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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