

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85023 of 2023

Arising Out of PS. Case No.-241 Year-2023 Thana- CHENARI District- Rohtas

VIRODHI KUMAR son of Garibi Kahar Village- Indra Chowk Ps- Chenari
Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashikant, Advocate

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 13-03-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in Chenari P.S. case
No. 241 of 2023 instituted for the offences under Sections
8, 20(b)(ii)(B) of the N.D.P.S. Act.

3. Prosecution allegation, in short, is that the 10 kg.
of ganja like substance has been recovered from a tempo
and the petitioner was apprehended on spot.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has falsely been implicated in
the present case. The petitioner is in custody since
08.08.2023 and has got no criminal antecedent. Charge-



sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovered contraband. The recovered contraband is below the commercial quantity. Hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act. Similar co-accused has been granted bail by a Coordinate Bench of this Court vide common order dated 19.01.2024 passed in Cr. Misc. No. 76289 of 2023 and Cr. Misc. No. 78630 of 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the period of custody undergone by the petitioner and the claim based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Chenari



P.S. case No. 241 of 2023.

(Rudra Prakash Mishra, J)

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