

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5702 of 2023

Arising Out of PS. Case No.-1 Year-2021 Thana- D.R.I District- Patna

ARBIND KUMAR Son of Madhu Rai Resident of Village at Dadour (Naya Tola), P.S.- Bakhtiyarpur, District - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Union of India through Deputy Director, Directorate of Revenue, Regional Office Patna Unit Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.A. Shamsi Mr. Satyendra Narayan Singh
For the Opposite Party/s	:	Mr. Lalan Kumar
For the Union Of India	:	Mr. Anshuman Singh, Sr. Adv. D.R.I. Mr. Ranjay Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

9 08-01-2024 Heard learned counsel for the petitioner,

learned counsel for the D.R.I. and learned APP for the

State.

The petitioner has filed the instant application

for grant of regular bail in a case registered for the

offences punishable under Sections 20,25,29 of N.D.P.S.

Act.

It is a case of recovery of 576.650 kg of Ganza

like narcotics substance from a Truck bearing Reg. No.

BR-21G-4042. Petitioner is alleged to be owner of the



aforesaid Truck.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Neither the petitioner was apprehended on spot nor anything incriminating has been recovered from his conscious possession. His name sprang up in this case on the confessional statement of co-accused persons Santu Kumar and Dhananjay Yadav who happens to be the driver and cleaner respectively of the said Truck. Petitioner has no concern with the seized contraband and he is not present on the place at the time of occurrence. Moreover, the petitioner is languishing in judicial custody since 16.08.2021. it is further submitted that cleaner of the truck namely Dhananjay Yadav has already been granted bail vide order dated 15.03.2023, passed in Cr. Misc. No. 5883 of 2023 by the co-ordinate Bench of this Court.

Learned APP appearing for the State and



learned counsel for the D.R.I. have vehemently opposed the prayer for Bail and submitted that other co-accused persons have stated about the involvement of petitioner in the alleged offence.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Special Case No. 230 of 2021 (Special Case No. 03 of 2021 (Supplementary Case)) on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge VIII, Patna.

(Sunil Kumar Panwar, J)

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