

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76474 of 2024

Arising Out of PS. Case No.-49 Year-2024 Thana- BITHAN District- Samastipur

Dilkhush Kumar Son of Ram Badan Yadav R/O Village- Pusho, P.S.- Bithan,
District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Adv.

For the Opposite Party/s : Mr. Nirmala Kumari, APP

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

ORAL ORDER

2 13-11-2024 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 Bithan P.S. Case No. 49/2024 dated 19.05.2024 registered for the offence punishable u/s 8/20(b)(ii)(B) of the N.D.P.S Act.

3. As per the prosecution case, total 3 kgs. *ganja* was recovered from the house of the petitioner, where the co-accused, Vishal Kumar and the co-accused, Vikash Kumar had come to take the said *ganja* with a view to sell it.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The seized contraband is less than



commercial quantity. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 20.05.2024. The co-accused has been granted regular bail by this Court vide order dated 21.08.2024 passed in Cr. Misc. No. 57276 of 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 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, Samatipur in connection with Bithan P.S. Case No. 49/2024, with the condition:-

(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 bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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