

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81315 of 2023**

Arising Out of PS. Case No.-85 Year-2023 Thana- HABIBPUR District- Bhagalpur

Arvind Kumar Sah @ Arvind Kumar Son of Hari Sah Resident of Keori Tola,
P.S.- Habibpur, District - Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madan Mohan, Adv.

For the Opposite Party/s : Mr. Shantanu Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

4 04-04-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection with
Habibpur P.S Case No. 85 of 2023 registered for the
offences punishable under Sections 20, 21, 22, 8(C) of the
NDPS Act.

3. As per prosecution case, 95.450 gram of Brown
Sugar has been recovered from the possession of the one
Shubham Kumar.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case. It is
further submitted that petitioner is not named in FIR his



name surfaced from the confessional statement of the co-accused. Nothing has been recovered from the conscious possession of the petitioner. It is next submitted that Shubham Kumar is already on bail for treatment of the drug addiction. Petitioner has got no criminal antecedent as stated in para 3 of the bail petition. It is also submitted that petitioner is in judicial custody since 06.09.2023.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and period of custody and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named 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 learned Sessions Judge, Bhagalpur in connection with Habibpur P.S Case No. 85 of 2023.

(Ramesh Chand Malviya, J)

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