

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.421 of 2024

Arising Out of PS. Case No.-187 Year-2022 Thana- GARDANIBAG District- Patna

Jyotish Kumar Son of Suresh Rai Resident of B. K. Dutta Lane ,P. S.-
Jakkanpur, District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Shankar Sinha

For the Opposite Party/s : Mr.Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 26-04-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has prayed for regular bail in a
case registered for the offence punishable under section
21(b), 22(b) and 29 of the NDPS Act.

It is a case of recovery of total 21.40 gm brown
sugar heroine like substance and a vivo company mobile
form the possession of co-accused Vikash Kumar. The
petitioner is alleged to have fled away from the place of
seizure.

Learned counsel for the petitioner submits that
the petitioner is innocent and has committed no offence.



The petitioner was not apprehended from the spot nor he has any concern either with the apprehended accused person or the seized contraband. He has falsely been implicated in this case merely on the basis of confession of the co-accused which has no evidentiary value in the eye of law. Moreover, the recovered contraband is lesser than the commercial quantity as per N.D.P.S. Act. It is further submitted that the petitioner is languishing in judicial custody since 28.01.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Gardanibagh P.S. Case No. 187 of 2022 (Special Case No. 85 of 2023) on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like



amount each to the satisfaction of learned Additional
Sessions Judge-IV, Patna.

(Sunil Kumar Panwar, J)

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