

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.432 of 2024

Arising Out of PS. Case No.-846 Year-2023 Thana- BARACHATTI District- Gaya

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Pawan Kumar Son Of Shamsheer Singh Resident Of Village- Saadikpur, P.S.-
Sidora, District- Yamuna Nagar (Haryana)

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. The Union Of India Through The Narcotic Commissioner, New Delhi India

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Arvind Kumar Singh
For the State	:	Mr.Narsingh Tanti
For the Respondent No.2:		Mr. Anshuman Singh, Sr. C.G.C, U.O.I.
		Mr. Ranjay Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-01-2024 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 Sections 18, 20 and
22 of the N.D.P.S. Act.

As per prosecution case, the petitioner was apprehended
on the spot and from a trailer vehicle bearing Reg. No. HR-58B-
9280, 1kg Doda powder was recovered. Petitioner is said to be
driver of the alleged vehicle.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. Nothing incriminating article
has been recovered from his conscious possession. Petitioner has



no concern with the alleged recovery and recovery of 1 Kg Doda powder is an small quantity as per the N.D.P.S. Act. Both the seizure list witnesses are police personnel which is complete violation of Section 100 of Cr.P.C. The other co-accused namely, Nadim Khan has already been granted bail by another co-ordinate Bench of this court vide order dated 10.01.2024 passed in Cr. Misc. No. 84413 of 2023. Petitioner has got no criminal antecedent and languishing in judicial custody since 09.09.2023.

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 period of custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Barachatti P.S. Case No.846 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 Sessions Judge-cum-Special Judge, N.D.P.S. Act, Gaya.

(Sunil Kumar Panwar, J)

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