

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1476 of 2024

Arising Out of PS. Case No.-475 Year-2022 Thana- SUPAUL District- Supaul

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Krishan Kumar@ Kishan Choudhary @ Kishan Kumar Son Of Late Raju Choudhary @ Late Raj Kumar Jaiswal Resident Of Village- Chakla Nirmali, Ward No. 26, Ps And Distt- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vivek Kumar, Advocate

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 2 24-01-2024 1. Heard learned counsel for the petitioner and learned APP for the State.
2. The petitioner has preferred this application for grant of regular bail in connection with Supaul P.S. Case no 475 of 2022 registered under section 21(a) of the N.D.P.S. Act.
3. As per the prosecution case, on information having been received, search of the vehicles were conducted. It is stated that while one of the accused managed to escape, Rajesh Kumar was caught and on search codeine phosphate cough syrup (Corex) of a total quantity of 2.2 litres was recovered. On inquiry he disclosed that the person who had managed to escape was the petitioner herein.
4. Learned counsel for the petitioner submits that neither the petitioner was arrested at the spot nor any



incriminating article was recovered from his possession. The only material against the petitioner is the statement of co-accused made before police. The cause of his false implication is his antecedents. The petitioner is in custody since 22.2.2023 and investigation in the case has concluded.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R, the petitioner not having been arrested at the spot, his having remained in custody for 11 months since 22.2.2023 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Supaul P.S. Case no 475 of 2022, 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-III, Supaul.

(Partha Sarthy, J)

Harsh/-

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