

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49302 of 2025

Arising Out of PS. Case No.-53 Year-2024 Thana- KISHANGAANJ RAIL P.S. District-
Katihar

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Vivek Datta @ Bibak Datta S/O Bijan Datta R/O Village- Badhajatin Colony,
Bhatiya Building Ward No. 07, P.S- Kotwali, Dist.- Jalpaiguri (West Bengal).

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh

For the Opposite Party/s : Mr.Yogendra Kumar

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

ORAL ORDER

2 19-08-2025 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 NDPS P.S. Case No. 39 of 2024 arising out of Kishanganj Rail P.S. Case No. 53 of 2024 dated 08.07.2024 registered for the offences punishable u/ss 8(C), 21(b) of the NDPS Act.

3. As per the prosecution case, total 40 grams of brown sugar like substance was recovered from the possession of the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The seized contraband is less than the commercial quantity. The petitioner has no criminal antecedents as stated in



para 3 of the bail petition. The petitioner is in custody since 09.07.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner who had no valid authorization for keeping the said contraband.

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, Katihar in connection with NDPS P.S. Case No. 39 of 2024 arising out of Kishanganj Rail P.S. Case No. 53 of 2024, with following condition/s:-

(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 bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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