

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84646 of 2024

Arising Out of PS. Case No.-867 Year-2024 Thana- AGAMKUAN District- Patna

Nitish Kumar S/O Rajkishore Prasad Resident Of Village-Tikuliya Par, P. S.-
Kako, Dist-Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 07-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 21 and 22 of the N.D.P.S. Act.

3. The case of the prosecution is that police received information regarding consumption of intoxicating medicines in a hut at Bhootnath vegetable market. When the informant reached there, two persons tried to flee away but one of them was apprehended and he was identified as this petitioner. From his possession, 16 Leegestic 2ml ampoule and 22 avil 2 ml Injections were recovered.

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



falsely been implicated in this case. Learned counsel for the petitioner further pointed out that page-20 of this application which goes to show that altogether 9.6 mg of Buprenorphine Narcotics drug was recovered. Admittedly, the quantity seized from the petitioner is more than small quantity but it is less than commercial quantity as per NDPS Act. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 03.10.2024.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Agamkuan P.S. Case No. 867 of 2024 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/ Special Judge (NDPS), Patna.

(Ashok Kumar Pandey, J)

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