

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61529 of 2019

Arising Out of PS. Case No.-430 Year-2019 Thana- PATRAKARNAGAR District- Patna

Aman Raj Son of Raj Kumar Resident of Mohalla-East Indiria Nagar, P.S-
Kankarbagh, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar No. 1

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan

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

ORAL ORDER

4 04-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Patrakar
Nagar P.S. Case No. 430 of 2019 registered for the offence
punishable under Sections 20, 22 and 24 of N.D.P.S. Act.

5 gram Brown Sugar is said to have been recovered
and seized from the possession of the petitioner.

It is submitted by learned counsel for the petitioner
that no incriminating article has been recovered from conscious
physical possession of the petitioner. He has been falsely
implicated in this case at the instance of his enemy by planting
the aforesaid recovery from his possession. Said contraband is a
contaminated form of heroin and heroin weighing 5 gram comes



under the category of small quantity and maximum punishment for having small quantity of heroin is one year. Petitioner has no criminal antecedent and has been languishing in custody since 16.06.2019, hence, he may be enlarged on bail.

On the other hand, learned APP for the State also conceded that brown sugar is a contaminated form of heroin having less potential than that of the heroin and 5 gram heroin comes under the category of small quantity.

In the facts and circumstances of the case, let the above named petitioner be released on bail, 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, Patna in connection with Patrakar Nagar P.S. Case No. 430 of 2019.

(Prakash Chandra Jaiswal, J)

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