

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5134 of 2022

Arising Out of PS. Case No.-198 Year-2021 Thana- MOUZAHDIPUR District- Bhagalpur

MD NASIR Son of Md. Ansar @ Pappu Resident of Muhalla- Moulanchak,
P.S.- Mojahidpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya

For the Opposite Party/s : Mr. Ashok Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 24-05-2022 The learned counsel for the petitioner is directed to
remove all the defects pointed out by the Stamp Reporter within
one month.

Heard learned counsel for the petitioner and the
learned APP for the State.

This is an application for regular bail on behalf of the
petitioner for the offences alleged under sections 22 and 22 of
the N.D.P.S. Act.

As per allegation, the informant, who is Sub-
Inspector, got a secret information that the petitioner was selling
brown sugar (smack). The informant after lodging *Sanha* and
after giving information to the Senior Police officer, reached the
place of occurrence. Petitioner began to flee away after seeing
the police party and after chase, he was apprehended and 1 gram



and 600 milligram smack was recovered from his possession.

Learned counsel for the petitioner has submitted that the petitioner is person of clean antecedents and is in custody since 26.7.2021. He submitted further that the recovered smack was in small quantity.

Considering the clean antecedent as well as period of incarceration, let the petitioner above named be released on bail on furnishing bail bond of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the District & Sessions Judge, Bhagalpur in connection with Mojahidpur P.S. Case no. 198 of 2021 giving rise to NDPS Case no. 46 of 2021 **with condition that if the petitioner is found involved in future in similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner.**

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

s.hassan/-

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