

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26527 of 2021

Arising Out of PS. Case No.-655 Year-2020 Thana- PHULWARISHARIF District- Patna

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JAIDEEP SHARMA Son of Vinod Sharma Resident of Mohalla-
Mohammadpur, P.S.- Phulwari Shariff, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rahul Kumar, Adv.

For the Opposite Party/s : Mr. Manoj Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 12-01-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 20 and 22 of the N.D.P.S. Act.

As per the prosecution case, 7 gm of smack is said to have been recovered from the possession of the petitioner.

It is submitted by learned counsel for the petitioner that no incriminating article has been recovered from his possession. He is innocent and falsely implicated in the case. There was much delay in sending the F.I.R. to the learned court below as also violation of section 100 of the Cr.P.C. and section 50 of the N.D.P.S. Act. There is no report of the Forensic Science Laboratory on record. The petitioner is in custody since



1.12.2020 and has no criminal antecedent.

The application for bail is opposed by learned
A.P.P. for the State.

A report was called for from the Senior
Superintendent of Police with respect to the antecedent of the
petitioner. As per the report received, the petitioner has no
criminal antecedent.

Having heard learned counsel for the parties and
taking into consideration the facts of the case, the petitioner not
having any criminal antecedent and having remained in custody
for over 1 year, the Court directs the petitioner to be enlarged on
bail in connection with Special Case no.166 of 2020 (arising out
of Phulwarisharif P.S. Case no.655 of 2020) 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 XXV, Patna.

(Partha Sarthy, J)

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