

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28542 of 2022

Arising Out of PS. Case No.-31 Year-2022 Thana- KANKARBAG District- Patna

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TARA DEVI W/o Krishna Mukhiya R/o- Viklang Bhawan Jhoparpatti, P.S. -
Kankarbagh, Distt.- Patna Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 19-09-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

It appears from the office note dated 16.09.2022 that in the order dated 26.08.2022 it was found that Special Case mentioned in the order sheet was overwritten as Special Case No.14 of 2022. However, upon verification with the uploaded web copy of the order dated 26.08.2022 (at Flag 'A'), it appears that Special Case No.12 of 2022 was uploaded instead of Special Case No.14 of 2022.

Let it be read as "Special Case No.14 of 2022" in place of "Special Case No. 12 of 2022" in the judicial order as well as uploaded web copy of the judicial order.

Accordingly, the order dated 26.08.2022 is modified to



the aforesaid extent.

The petitioner seeks bail in a case registered for the offence under Sections 20(b)(ii)c, 25, 29 of N.D.P.S. Act.

Recovery is of 9.9 Gm of smack.

Learned counsel for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. Further submits that it appears from the FIR as well as the seizure list that only 9.9 Gm of Smack has been recovered from possession of the petitioner.

Learned APP for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the recovery contraband is more than the small quantity and FSL Report also confirms that the recovered contraband is Smack.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Special Case No.14 of 2022, Tr.No.02 of 2022 arising out of Kankarbagh P.S. Case No.31 of 2022 pending in the court of learned Additional District and Sessions Judge-IV, Patna.

Prayer is refused.

(Rajesh Kumar Verma, J)

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