

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43838 of 2021**

Arising Out of PS. Case No.-332 Year-2021 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

=====

MD. RAHIL @ MD. RAHIL KHAN SON OF MD. IBRAR KHAN R/O -
KHANPATTI, TILKAMANJHI, P.S.- BARARI, DISTRICT- BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate
For the Opposite Party/s : Mr. Tarun Prasad Mandal, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-02-2022 Heard Mr. Sanjay Kumar Jha, learned counsel for the

petitioner and Mr. Tarun Prasad Mandal, learned Additional

Public Prosecutor appearing for the State through video

conferencing.

Petitioner seeks regular bail in connection with NDPS

Case No. 30/2021 arising out of Kotwali (Barari) P.S. Case No.

332 of 2021 registered for the offence punishable under Sections

20/22 of the NDPS Act.

The Police on the basis of secret information arrived

at the place of occurrence and arrested the petitioner and one co-

accused Md. Asif Mustafa from whose possession 1.900 mg. of

smack was recovered.

Learned counsel for the petitioner submits that the



petitioner has got no criminal antecedent and no psychotropic substance has been recovered from possession of the petitioner. Learned counsel further submits that the quantity of smack recovered from the co-accused Md. Asif Mustafa is less than the small quantity and small quantity of smack/heroine or morphine is 5 grams. The petitioner is in custody since 18.5.2021, charge sheet has already been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidence.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that the petitioner has got no criminal antecedents, there is no likelihood that the petitioner will commit the offence after he is released on bail, he is in custody since 18.5.2021 and charge sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Bhagalpur, in connection with NDPS Case No. 30/2021 arising out of Kotwali (Barari) P.S. Case No. 332 of 2021.

It is made clear that at the time of furnishing bail



bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

S.Ali/-

U		T	
---	--	---	--

