

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.51222 of 2021**

Arising Out of PS. Case No.-80 Year-2021 Thana- PHULWARISHARIF District- Patna

MD.DANISH SON OF MD. SHAKIL RESIDENT OF F.C.I, LALU  
NAGAR, P.S - PHULWARI SHARIF, DIST- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Farooque Afzal, Advocate

For the Opposite Party/s : Mr. Md. Matloob Rab, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      03-02-2022                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State through virtual court proceedings.

Let the defect(s), if any, be removed within a period  
of four weeks after complete start of the physical Court.

The petitioner seeks regular bail in connection with  
Spl. (NDPS Act) Case No. 09 of 2021 arising out of Phulwari  
Sharif P.S. Case No. 80 of 2021 instituted for the offences under  
Sections 20 and 22 of the Narcotic Drugs and Psychotropic  
Substances Act, 1985.

Learned counsel for the petitioner submits that the  
petitioner is in custody since 31.01.2021, is a person with clean  
antecedent and charge-sheet has been submitted.

Allegation is of recovery of six sachets of brown  
sugar containing one gram each from the possession of the  
petitioner.



Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and even presuming what has been alleged is true then the recovery is of six grams of brown sugar whereas small quantity is five gram and commercial quantity is 250 grams and the recovery presently is just a little more than small quantity and much less than commercial quantity. It is further submitted that co-accused Rohit Kumar and Shubham Kumar have been granted bail by order dated 18.08.2021 passed in Cr. Misc. No. 40729 of 2021.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody, is a person with clean antecedent and charge-sheet has been submitted and the recovery is a little more than small quantity and co-accused have been granted bail, let the petitioner above named be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty-Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IV, Patna in connection with Spl. (NDPS Act) Case No. 09 of 2021 arising out of Phulwari Sharif P.S. Case No. 80 of 2021, subject to the conditions that one of the bailors shall be the father of the petitioner, namely, Md. Shakil and



further if the petitioner gets implicated in a case of similar nature, the learned court below will be at liberty to cancel the bail bonds of the petitioner.

**(Satyavrat Verma, J)**

Kundan/-

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