

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43481 of 2022

Arising Out of PS. Case No.-594 Year-2021 Thana- SHASTRINAGAR District- Patna

Arman Khan @ Golu Son Of Sajid Khan Resident Of Mohalla- Machhligali,
Rajabazar, P.S.- Shastri Nagar, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Singh, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 24-11-2022 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.

Petitioner seeks regular bail in connection with
Shastri Nagar P.S. Case No.594 of 2021 registered for the
offences punishable under Sections 8(c) and 21(b) of the
N.D.P.S Act.

As per the prosecution, the informant along with other
police personnel acting upon a secret information raided the
alleged place and apprehended this petitioner along with other
co-accused persons and upon making search from the
possession of this petitioner 10 *pudiyas* of narcotic material



suspected to be *smack*, cash of Rs.12000/- and a mobile phone were recovered and from the possession of the co-accused persons 27 *pudiyas* of narcotic material suspected to be *smack* and some cash were recovered.

The main submissions advanced by the learned counsel Mr. Dhirendra Singh appearing for the petitioner are that the alleged contraband suspected to be *smack* which was allegedly recovered from the possession of this petitioner comes under the purview of lesser than commercial quantity and similarly situated three co-accused persons have been granted bail by a co-ordinate Bench of this Court vide orders passed in Cr. Misc. No.25465 of 2022 and Cr. Misc. No.26224 of 2022 and the petitioner has been languishing in jail since 01.12.2021 having clean antecedent.

Learned APP Mr Narsingh Tanti appearing for the State has opposed the bail prayer.

In view of above submissions and mainly considering the petitioner's clean antecedent and his custody period and also coupled with this fact that 23 gm narcotic material suspected to be *smack* kept in small pouches is stated to have been recovered from this petitioner and co-accused persons which comes under the purview of lesser than commercial



quantity, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Shastri Nagar P.S. Case No.594 of 2021.

(Shailendra Singh, J.)

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