

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49613 of 2022

Arising Out of PS. Case No.-265 Year-2020 Thana- KANTI District- Muzaffarpur

MD. ALAM S/O LATE ISHAK Resident of Village- Sadatpur Paharpur, Ward
No- 09, P.S.- Kanit, District- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajiv Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 30-11-2022 Heard learned counsel for the parties.

The petitioner has renewed his prayer for grant of regular bail in a case registered under sections 8, 20 and 22 of the NDPS Act, 1985.

It is submitted by learned counsel for the petitioner that the earlier application for bail of the petitioner was rejected vide order dated 11.1.2022 (Annexure-1) passed in Cr. Misc. no. 26186 of 2021.

As per the prosecution case, 14 ‘puriyas’ of smack, 500 gm of charas besides currency notes of India, Nepal and Saudi Arabia were recovered.

It is submitted by learned counsel for the petitioner that that the petitioner has been falsely implicated in the case. No incriminating article has been recovered from his



possession. The petitioner is in custody since 12.5.2020 and has no criminal antecedent.

Heard learned APP for the State.

Report of the Forensic Science Laboratory was called for. From the contents of the report dated 24.12.2020 of the Chemical Laboratory at Kolkata, it could not be confirmed that the sample contained cannabis.

Having heard learned counsel for the parties and taking into consideration the petitioner having remained in custody for more than 2 years since 12.5.2020 along with the contents of the report of the Chemical Laboratory as referred to hereinabove, the petitioner is directed to be enlarged on bail in connection with Kanti P.S. Case no. 265 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 District and Sessions Judge I, Muzaffarpur.

(Partha Sarthy, J)

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