

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69690 of 2021**

Arising Out of PS. Case No.-389 Year-2021 Thana- KANTI District- Muzaffarpur

RAHUL KUMAR THAKUR @ RAHUL KUMAR Son of Sri Sitaram Thakur
R/o Village - Shahpur, P.S.- Kanti, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Jai Narain Thakur, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 25-05-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with
N.D.P.S. Case No. 64 of 2021 arising out of Kanti P.S. Case No.
389/2021 registered for the offences punishable under Sections
411, 413, 414 of the Indian Penal Code read with Sections
20(b)(ii)(a) and 22(a)(b) of N.D.P.S. Act.

The allegation, as per the First Information Report, is
that 50 grams of smack has been recovered from possession of
the petitioner.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case and he has not
committed any offence in the manner alleged. He next submits
that the petitioner has got no criminal antecedent of similar



nature of offence and smack recovered from the possession of the petitioner is less than commercial quantity. The petitioner is in custody since 12.06.2021.

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 antecedent of similar nature of offence, the smack recovered from the possession of the petitioner is less than commercial quantity and there is no likelihood that after released on bail the petitioner will repeat the offence, the petitioner is in custody since 12.6.2021 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.20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IV, Muzaffarpur, in connection with N.D.P.S. Case No. 64 of 2021 arising out of Kanti P.S. Case No. 389 of 2021.

(Anil Kumar Sinha, J)

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