

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6708 of 2023

Arising Out of PS. Case No.-1199 Year-2022 Thana- KHAJANCHI HAT District- Purnia

VISHWAJEET SAHA @ BISHWAJEET SAHA S/o Late Paritosh Saha R/o
Madhubani Colony, P.S.- K. Hat, Distt- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Fazle Karim

For the Opposite Party/s : Mr.Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 8(c)/21(b) of the N.D.P.S. Act.

As per FIR, prosecution case relates to recovery of 7 gram Brown sugar (Smack) from possession of co-accused Kunal Kumar and this petitioner is said to have engaged in illegal business of narcotic substance.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner has no concern with the alleged recovery of smack like narcotic substance (brown sugar) or with co-accused persons. It is further



submitted that only one mobile phone was recovered from possession of this petitioner and the same belongs to him. During course of seizing, police have not complied the provision of N.D.P.S. Act. It is further submitted that the petitioner is languishing in judicial custody since 11.11.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with K. Hat P.S. Case No. 1199 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, N.D.P.S. Act, Purnea.

(Sunil Kumar Panwar, J)

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