

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.8315 of 2023

Arising Out of PS. Case No.-375 Year-2022 Thana- SABAUR District- Bhagalpur

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PRADEEP SAH @ PRADEEP SAW Son of Late Anil Saw Resident of
muhalla - West Railway Colony Cabin, P.S.- Sabour, District – Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya
For the Opposite Party/s : Mr. Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 03-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of regular bail, arises out of
Sabour Police Station Case No. 375 of 2022 (N.D.P.S. Case No.
160/2022) dated 16.09.2022, disclosing offences under Sections
20/22 N.D.P.S. Act.

The prosecution story, on the basis of First
Information Report, is that the police on the basis of secret
information apprehended the petitioner and recovered 13
sachets of brown sugar having total weight of 3.360 gms.

Learned counsel for the petitioner submits that he
petitioner has got no criminal antecedents and he has falsely
been implicated in this case.



He next submits that the alleged brown sugar recovered from the possession of the petitioner is of less than small quantity and the petitioner is in custody since 17.09.2022.

The procedure, under Section 50 of N.D.P.S. Act has also not been followed at the time of seizure from the pocket of petitioner.

Regards being had to the submissions made by the parties and taking into consideration the materials available on record and the fact that the brown sugar seized from the possession of the petitioner is less than small quantity, the petitioner is in custody since 17.09.2022, and charge-sheet has already been submitted and there is no likelihood that the petitioner will abscond and/or temper with evidence, accordingly, I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, 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 learned Additional District and Sessions Judge-XVI, Bhagalpur in connection to the Sabour Police Station Case No. 375 of 2022 (N.D.P.S. Case No. 160/2022) dated 16.09.2022, disclosing offences under Sections 20/22 N.D.P.S. Act.

This is subject to the condition that the petitioners



shall present themselves before the Court, as and when required
and in the event of failure on their part to appear before the
Court on two consecutive occasions, their bail bond shall be
liable to be cancelled.

(Anil Kumar Sinha, J)

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