

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5760 of 2023

Arising Out of PS. Case No.-129 Year-2022 Thana- DELHA District- Gaya

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Rohit Kumar S/O Shankar Paswan R/O Village- 64 No Railway Gumti, Bhui Tola, P.S.- Delha, Distt- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shivesh Kumar Singh

For the Opposite Party/s : Mr.Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Delha P.S. Case No. 129 of 2022 registered under sections 8(c), 21(b), 25 and 29 of the N.D.P.S. Act.

As per the seizure list, there is recovery of eleven sachets of smack like substance from the pocket of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to enmity. It is further submitted that the recovered contraband does not come under the purview of commercial quantity as per N.D.P.S. Act and also



the provision of N.D.P.S. Act has not been followed in this case.
A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 12.05.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Delha P.S. Case No. 129 of 2022 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 Sessions Judge cum-Spl Court of N.D.P.S. Act, Gaya.

(Sunil Kumar Panwar, J)

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