

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9106 of 2023

Arising Out of PS. Case No.-668 Year-2022 Thana- BUXAR District- Buxar

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BISMILLA KHAN, Son of Late Haidar Ali Khan, Resident of Mohalla-Shantinagar, Ward No.-33, P.S.- Buxar (Town), District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dr. Kamal Deo Sharma, Advocate

For the Opposite Party/s : Mr.Prem Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 29-04-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in connection with Buxar (Town) P.S. Case No. 668 of 2022 dated 06.12.2022 registered for the offences punishable u/ss 21, 22 and 27 of the N.D.P.S. Act.

As per the prosecution case, total 5.25 gm heroin like substance and Rs. 6000 /- were recovered from the possession of the petitioner.

Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in this case. He has further submitted that the seized contraband is a small quantity. The co-accused person has already been granted bail by the Coordinate Bench vide order dated 06.04.2023 passed in Cr. Misc. No. 4822 of 2023. The petitioner is accused in two other criminal cases out of which one case is of similar nature as stated in para 3 of the bail petition. The petitioner is in custody since 07.12.2022.

Learned A.P.P. for the State has vehemently opposed the prayer of bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Buxar in connection with Buxar (Town) P.S. Case No. 668 of 2022.

The application stands allowed.

(Chandra Prakash Singh, J)

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