

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9574 of 2023

Arising Out of PS. Case No.-253 Year-2022 Thana- MITHANPURA District- Muzaffarpur

Javed Ahamad S/O Ansar Ahamad R/O Mohalla- Tinkothiya Near The Aveda
School, P.S.- Mithanpura, District- Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad
For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 19-04-2023 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 a case registered for the

offences punishable under Sections 8(c), 21(b) of

N.D.P.S. Act.

It is a case of recovery of 8 grams of Smack

like narcotics substance from the possession of the

petitioner.

It is submitted by learned counsel for the



petitioner that the petitioner is innocent and he has falsely been implicated in the present case. It is further submitted that there is non compliance of Section 50 of N.D.P.S. act as the alleged contraband has not been seized in the presence of Magistrate. The seized contraband Smack is lesser than commercial quantity as per N.D.P.S. Act. Moreover, the petitioner is languishing in judicial custody since 11.8.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Mithanpura P.S. Case No. 253 of 2022, N.D.P.S. Case No. 209 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 Additional District Judge III, Muzaffarpur.

(Sunil Kumar Panwar, J)

nirajkrs/-

U		T	
---	--	---	--

