

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10784 of 2023

Arising Out of PS. Case No.-108 Year-2022 Thana- KIUL RAIL P.S. District- Lakhisarai

MD. AFTAB ALAM @ MOHAMMAD AFTAB Son of Late Slauddin
Resident of Village- Minnat Nagar, P.S.- Kotwali, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Patel

For the Opposite Party/s : Mr.Akhileshwar Dayal

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 prayed for regular bail in a case registered for the offence punishable under section 414 of the Indian Penal Code and Section 21(b) of the N.D.P.S. Act.

As per allegation in FIR, the police arrested the petitioner while he was trying to escape from Lakhisarai railway station. Upon search, 1 Etivan Tablet of 02 mg total 12 tables from the possession of this 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. The petitioner has no concern with the alleged recovery of contraband substance rather he was traveling with valid ticket but he was arrested by



the police only on the basis of suspicion. It is further submitted that the provision of NDPS has not been followed by the police. Moreover, the petitioner is languishing in judicial custody since 20.9.2022.

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 N.D.P.S. Case no. 08 of 2022 arising out of Rail Kiul P.S. Case No. 108 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 District and Sessions Judge, Lakhisarai.

(Sunil Kumar Panwar, J)

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