

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12309 of 2023

Arising Out of PS. Case No.-506 Year-2022 Thana- BAISI District- Purnia

MD. NAIM S/o Md. Altaf Hussain R/o Village- Sandalpur, P.S. and District-
Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana

For the Opposite Party/s : Mr.Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-05-2023 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 sections 8(c), 21B, of the NDPS Act.

As per FIR, the prosecution case relates to recovery of 25 gram (smack) brown sugar like substance from the possession of co-accused while petitioner along with co-accused were trying to escape by motorcycle bearing Reg. No. BR-11AG-4838.

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 nor any incriminating article has been recovered from his conscious possession rather 25 gram brown sugar like substance was recovered from co-accused, who has already been granted bail by this Court vide order dated 05.05.2023 passed in Cr. Misc. No. 12647 of 2023. It is further submitted that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 21.12.2022.

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 Baisi P.S. Case No. 506 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 Special Judge, NDPS, Act, Purnea.

(Sunil Kumar Panwar, J)

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