

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10337 of 2023

Arising Out of PS. Case No.-38 Year-2022 Thana- SAMASTIPUR District- Samastipur

Faisal Imam @ Faisar Imam Son Of Gulam Mohmad @ Bablu @ Gulam
Mohammad R/V- Gudri Bazar, Ward No. 21, P.S.- Samastipur Town, District-
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rana Sanjay Kumar Singh

For the Opposite Party/s : Mr.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 11-07-2023 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 8(c) , 17(A)
and 21(B) of the NDPS Act.

Prosecution case relates to recovery of total 29.6
grams of intoxicating substance i.e., opium weighing about 2
grams, cocaine weighing about 3-6 grams, brown sugar
weighing about 20 grams and smack like substance weighing
about 3.4 grams along with cash of Rs. 8500 from the ground
floor of the house 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 merely on suspicion. It is further submitted that the petitioner has no concern either with the recovered intoxicating substance or with the recovered cash in question. It is also submitted that nothing has been recovered from the conscious possession of the petitioner and also the recovered intoxicating substance does not come within the purview of commercial quantity as per NDPS Act. It is also submitted that the petitioner is languishing in judicial custody since 21.09.2022.

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 Samastipur (Town) P.S. Case No. 38 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, Samastipur.

(Sunil Kumar Panwar, J)

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