

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17508 of 2023

Arising Out of PS. Case No.-550 Year-2022 Thana- DIGHA District- Patna

Amit Raj, Son of Shiv Balak Paswan, Resident of Bans Kothi, Gate No.93,
P.S.- Digha, District- Patna

.. ... Petitioner/s

Versus

1. The State of Bihar
2. Union of India Through Ministry Of Home Affairs International Security,
Patna Bihar

... ... Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Rajesh Mohan, Advocate
For the Opposite Party/s :	Ms. Sharda Kumari, APP
For the U.O.I. :	Mr. Manoj Kumar Singh, CGC
	Mr. Ankit Kumar Singh JC to CGC
	Mr. Prabhat Kumar, JC to CGC

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 25-04-2023 1. Heard learned counsel for the petitioner, learned
counsel for the Union of India and the learned APP for the State.
2. Petitioner seeks regular bail in connection with
Special Case No. 147 of 2022 arising out of Digha P.S. Case No.
550 of 2022 dated 19.08.2022 registered for the offences
punishable under Sections 8(c) and 21(b) of N.D.P.S. Act.
3. The main submissions advanced by the learned
counsel for the petitioner are that as per the seizure memo a total
14 small packets containing the alleged contraband namely
'Brown Sugar' were allegedly recovered from the possession of
this petitioner and co-accused Arun Kumar but only 6 packets



containing the said material was allegedly recovered from the possession of this petitioner and the said narcotic materials comes in the purview of small quantity in respect of the recovery made from the conscious possession of the petitioner and moreover the petitioner is a young person having fair and clean antecedent and the witnesses of the recovery of the alleged contraband are official persons and the petitioner has been languishing in jail since 20.08.2022.

4. Learned APP appearing for the State as well as learned counsel appearing for the Union of India have vehemently opposed the bail prayer and submitted that there is serious allegation against the petitioner and the seized narcotic material comes in the purview of greater than small quantity for which there is serious punishment in the N.D.P.S. Act.

5. Considering the above submissions and mainly the quantity of the alleged contraband and petitioner's fair and clean antecedent and his young age, in the opinion of this court, the petitioner deserves to a lenient approach of this court. Accordingly, let the petitioner be released on bail in connection with Special Case No. 147 of 2022 arising out of Digha P.S. Case No. 550 of 2022 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the



satisfaction of the Court concerned.

(Shailendra Singh, J)

Rajiv/-

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