

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 14071 of 2023

Arising Out of PS. Case No.-201 Year-2022 Thana- BRAHMPURA District- Muzaffarpur

ROCKY KUMAR @ ROCKY S/O SRI ANIL RAI @ ANIL KUMAR
YADAV Resident of Village- Krishna Toli Braham Asthan, P.S.- Brahampura,
District- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vaishnavi Singh

For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 8(c), 21(b) of the
N.D.P.S. Act and Section 37 of the Bihar Prohibition and Excise
Act.

As per prosecution case, there has been recovery of
5.06 gm *smack* like substance kept in 11 sachets, from the
trouser of the petitioner.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that the petitioner has no
concern with the seized *smack* like substance. He submitted that



seized *smack* like substance does not come within the purview of commercial quantity as per N.D.P.S. Act. He is languishing in judicial custody since 11.10.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Judge, NDPS Act-cum- Additional Sessions Judge-III, Muzaffarpur in connection with Brahmpura P.S. Case No. 201 of 2022.

(Sunil Kumar Panwar, J)

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