

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19704 of 2023

Arising Out of PS. Case No.-618 Year-2022 Thana- DANAPUR District- Patna

PRADAM KUMAR @ PRADAN KUMAR @ PRADUMN KUMAR @
CHUHA @ RAHUL Son of Narayan Bind R/o Teslal Verma Nagar, Bailey
Road Nahar Par, P.S.- Rupaspur, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Prasad Singh

For the Opposite Party/s : Mr.Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 19-05-2023 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 Section 21(b) of the N.D.P.S.
Act.

As per prosecution case, on secret information
received that one person standing with scooty is selling smack
(Brown sugar), police party reached at that place and on search
there has been recovery of 17 gram *Brown sugar* 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 *Brown Sugar*. He submitted that seized *Brown Sugar* like substance does not come within the purview of commercial quantity as per N.D.P.S. Act. The provision of Section 50 of the N.D.P.S. Act has not followed in this, while preparing the seizure list. He is languishing in judicial custody since 04.07.2022.

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 Additional District and Sessions Judge-XVIII, Patna in connection with Danapur P.S. Case No. 618 of 2022.

(Sunil Kumar Panwar, J)

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