

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23400 of 2023

Arising Out of PS. Case No.-1199 Year-2022 Thana- KHAJANCHI HAT District- Purnia

KUNAL KUMAR @ KUNAL KUMAR PASWAN S/O Late Kishun Paswan
R/O Naya Tola, Line Bazar, P.S- KHAT (Sahayak), District- Purnea, Pin
Code- 854301

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Union of India through Ministry of Home Affairs Internal Security, Patna Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hare Ram Sah
For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-05-2023 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.

As per prosecution case, there has been recovery of 7
gram *smack* like substance from the possession 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 11.11.2022.

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, Purnia in connection with Khajanchi Hat P.S. Case No. 1199 of 2022.

(Sunil Kumar Panwar, J)

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