

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19710 of 2023

Arising Out of PS. Case No.-285 Year-2022 Thana- SARSI District- Purnia

MD. JUBER S/o Md. Alam @ Alim Resident of Sarsi, P.S.-Sarsi, District-
Purnea

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Fazle Karim

For the Opposite Party/s : Mr.Pramod Kumar Pandey

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 Sections 8(c), 21(b) and 22(b)
of the N.D.P.S. Act.

As per prosecution case, there has been recovery of
9.33 gram *Brown sugar* from the carry bag, which was hanged
on handle of the motorcycle.

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. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 04.12.2022.

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 Court of 3rd Additional Sessions Judge-cum-Special Judge, (NDPS Act), Purnia in connection with Sarsi P.S. Case No. 285 of 2022.

(Sunil Kumar Panwar, J)

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