

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23460 of 2023

Arising Out of PS. Case No.-734 Year-2022 Thana- LAHERIYASARAI District- Darbhanga

Kunal Baitha S/O Sri Satto Baitha R/O Village- Belwaganj, P.S- Laheriasarai,
Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manish Kumar No 13, Advocate Mr. Rohit Kumar, Advocate Ms. Nitu Kumari, Advocate
For the State	:	Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 22-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

The petitioner seeks regular bail in connection with
Laheriasarai P.S. Case No. 734 of 2022, giving rise to PTN Case
No. 1811/2022, registered for the offence punishable under
Section 22(b) of the Narcotic Drugs and Psychotropic
Substances Act.

Learned counsel for the petitioner submits that the
petitioner is innocent and was falsely been implicated in this
case. It has been submitted by learned counsel for the petitioner
that there is recovery is of 2.1 gm. of Pentazocine from
possession of the petitioner. Petitioner is in custody since
23.12.2022.

Learned APP has vehemently opposed the prayer for



bail.

Considering the nature of allegation levelled against the petitioner, his period of custody, this application is allowed.

Let the petitioner, above named, be released on bail, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge, Darbhanga in connection with Laheriasarai P.S. Case No. 734 of 2022, giving rise to PTN Case No. 1811/2022.

The trial court is directed to explain to the accused who is in custody that the recovery is of small quantity and if he pleads guilty he can be released by the trial court after conviction and the sentence may be period already undergone as it is the first offence.

(Sandeep Kumar, J)

Ranjeet/-

U		T	
---	--	---	--

