

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18182 of 2023

Arising Out of PS. Case No.-356 Year-2022 Thana- AMAUR District- Purnia

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MAHFOOZ ALAM @ MAHFUJ ALAM S/O LATE ABDUL KHALIL
Resident of Village- Katahalbari, P.S.- Rauta, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raj Kumar

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 17-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 21(c)/22/25 of NDPS
Act.

As per allegation in the FIR, on getting secret information
police party proceeded towards place of occurrence, and
apprehended two accused persons including the petitioner, who
was driving the motorcycle. The seized motorcycle belongs to
the petitioner. On search, 15.470 grams of brown sugar like
substance, cash of Rs. 1430/- and a mobile were recovered from
pant pocket of the petitioner. From possession of the other co-
accused, paper pipe and cash of Rs. 70/- were recovered.

Learned counsel appearing on behalf of the petitioner



has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this Case. There is complete violation of provision of Section 50 of the NDPS Act. There is no FSL report to confirm that the seized article is contraband material. The recovered article comes below the commercial quantity. Petitioner has got no criminal antecedent and languishing in judicial custody since 13.12.2022.

Learned APP appearing for the State has opposed the prayer of Bail.

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, Purnea in connection with Amour P.S. Case No. 356 of 2022.

(Sunil Kumar Panwar, J)

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