

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24692 of 2023

Arising Out of PS. Case No.-217 Year-2022 Thana- SAHAR District- Bhojpur

Prabhat Kumar Son Of Nirmal Roy @ Nirmal Ray R/O Village- Baruhi, P.S.-
Sahar In The District Of Bhojpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Choubey Jawahar

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
registered for the offence punishable under sections 21B, 29
of the NDPS Act.

As per FIR, the petitioner was apprehended on the
spot and on search total 58 grams heroin like substance,
mobile, 2600/- cash and other articles were recovered from
the possession of the petitioner. After that seizure list has
been prepared and this case has been lodged.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. The petitioner has no



concern with the alleged recovery and the seizure list has not been prepared as per provision of law. He has got no criminal antecedent. It is further submitted that recovered 58 grams heroin like substance does not come within the purview of commercial quantity. Moreover, the petitioner is languishing in judicial custody since 30.09.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sahar P.S. Case No. 217 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XIII, Bhojpur at Ara.

(Sunil Kumar Panwar, J)

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