

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28573 of 2023

Arising Out of PS. Case No.-649 Year-2022 Thana- KOTWALI District- Patna

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KUMAR AMAN @ AMAN @ SONU @ SANU SON OF ARUN KUMAR
SANT @ ARUN KUMAR RESIDENT OF VILLAGE- KANPA, PS- RANI
TALAB, AT PRESENT GARDANIBAGH ROAD NO. 1 BEHIND GUPTA
COMPLEX , PS- GARDANIBAGH DISTT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kr Singh No.1

For the Opposite Party/s : Mr.Lalan Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 16-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 8/20 (b)(ii)(A) of the
N.D.P.S. Act and Sections 401 and 414 of the IPC.

3. As per prosecution case, there has been recovery of
4.24 gm *Smack* and one mobile phone from the possession of
the petitioner.

4. 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. He submitted that seized smack
like substance does not come within the purview of commercial



quantity as per N.D.P.S. Act. On the basis of suspicion and due to his criminal antecedents, the petitioner has been implicated in the present case. He is languishing in judicial custody since 11.10.2022.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail **after framing of charge, if not framed**. 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 Additional District and Sessions Judge 4th, Patna in connection with Kotwali P.S. Case No. 649 of 2022.

(Sunil Kumar Panwar, J)

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