

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29339 of 2023

Arising Out of PS. Case No.-387 Year-2022 Thana- BEUR District- Patna

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Ganesh Kumar Gupta @ Ganesh Kumar S/O- Late Kedar Prasad Gupta
Residence Of Village Atwarpur Ps Parsa Bazar District Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satrudhan Kumar

For the Opposite Party/s : Mr.Ramchandra Sahn

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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(c)/21 (b) of the
N.D.P.S. Act.

3. As per prosecution case, there has been recovery of
15 gram *Smack* 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. Further, it is submitted that the
charge has already been framed against the petitioner. He is



languishing in judicial custody since 09.08.2022.

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. 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 A.D.J.-XVII, Patna in connection
with Beur P.S. Case No. 387 of 2022.

(Sunil Kumar Panwar, J)

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