

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32233 of 2023

Arising Out of PS. Case No.-450 Year-2021 Thana- SONEPUR District- Saran

SHUZEET KUMAR @ SUJIT KUMAR son of Mahesh Prasad Singh
resident of Village- Dhudhaila Gachi Ps- Sonapur Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 17-05-2023

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for bail in connection with Sonapur P.S. Case no.450 of 2021 registered under sections 20 and 21 of the N.D.P.S. Act and section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. The earlier prayer for bail of the petitioner was rejected vide order dated 19.12.2022 passed in Cr. Misc. no.71610 of 2021.

4. As per the prosecution case, the petitioner was arrested with 62 puriyas of smack besides the illicit liquor and the recovery of the narcotics was confirmed from the F.S.L. report.

5. Learned counsel for the petitioner submits that no incriminating article has been recovered from the petitioner's



possession. He has been falsely implicated in the case. Even as per the allegation in the F.I.R, the alleged recovery is much below the commercial quantity. The petitioner is in custody since 2.9.2021 and undertakes to cooperate in the trial.

6. The application for bail is opposed by learned A.P.P. for the State.

7. Having heard learned counsel for the parties and taking into consideration the quantity of smack said to have been recovered from the possession of the petitioner being below the commercial quantity together with the petitioner having remained in custody for 1 year 8 months since 2.9.2021, the Court directs the petitioner to be enlarged on bail in connection with Sonapur P.S. Case no.450 of 2021 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge-cum-Special Judge, Excise, Saran at Chapra.

(Partha Sarthy, J)

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