

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30689 of 2023

Arising Out of PS. Case No.-82 Year-2023 Thana- BUDDHACOLONY District- Patna

DEEPAK KUMAR SON OF DINESH MANDAL @ DINESH SHAW
VILLAGE- LODIPUR VIDYA PATI MARG, CHINA KOTHI, PS-
BUDDHA COLONY, DISTT- PATNA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary

For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 8, 8(c), 20(b)(ii)(A) and
21(b) of the N.D.P.S. Act.

As per prosecution case, on secret information
received that one person selling Brown sugar at Lodipur. Police
party reached at the place and started checking, on search there
has been recovery of 39 gram of Brown sugar (smack) and 70
gram of *Ganja* from the pocket of the petitioner.

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 Ganja and smack like substance. He submitted that seized narcotics like substance does not come within the purview of commercial quantity as per N.D.P.S. Act. The provision of Section 50 of the NDPS Act has not followed in this case, while preparing the seizure list. He further submitted that petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 05.01.2023.

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

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 A.D.J.- XVIII, Patna in connection with BuddhaColony P.S. Case No. 82 of 2023.

(Sunil Kumar Panwar, J)

arish/-

U		T	
---	--	---	--

