

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31974 of 2023

Arising Out of PS. Case No.-479 Year-2022 Thana- MALSALAMI District- Patna

Deepak Kumar S/O- Raj Kumar Mahto Village- Fatehpur Jampur Sabalpur
Ps- Nadi Dist- Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 26-06-2023 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 399, 412, of the Indian Penal Code and Section 25(1-b)a, 26, 35 of the Arms Act and Section 8/20b(ii)B of the NDPS Act.

As per prosecution case, the petitioner was apprehended on the spot and from his possession 1.225 kg ganja like substance was recovered and from co-accused persons other articles were also recovered.

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 same does not comes within the purview of commercial quantity as per NDPS Act. It is further submitted that the petitioner is languishing in judicial custody since 29.08.2022.

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 Malsalami P.S. Case No. 479 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 Special Judge, NDPS, Patna.

(Sunil Kumar Panwar, J)

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