

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 36691 of 2023**

Arising Out of PS. Case No.-793 Year-2022 Thana- PHULWARISHARIF District- Patna

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TAUSHIF @ BADSHAH S/O NOORUL HODA R/O Vill. Khalilpura, PS.
Phulwari Sharif, Dist. Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Sunil Kumar Pathak, Advocate

For the Opposite Party/s : Mr Binod Kumar, APP

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CORAM: HONOURABLE MR JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 07-07-2023 Heard learned counsel for the petitioner and the
learned APP.

The petitioner has preferred this application for grant of regular bail in connection with Special (NDPS) Case No 109 of 2022 arising out of Phulwari Sharif PS Case No 793 of 2022 dated 08.07.2022 registered for the offence punishable under Sections 414/34 of IPC, Sections 25 (1-b) a, 26/35 of Arm Act and Sections 8 (c), 21 (b) of the NDPS Act.

As per the prosecution case, one country made pistol with three cartridges and 5.2 grams of smack were recovered from the possession of the petitioner.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this



case. The petitioner has two antecedents, as stated in paragraph 3 of the bail petition. He is on bail in both the cases. He is in custody in this case since 09.07.2022. It is further submitted that the said contraband is not of commercial quantity.

Learned APP has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above named is directed to be released on bail on his furnishing bonds of Rs 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge XVIII, Patna in Special (NDPS) Case No 109 of 2022 arising out of Phulwari Sharif PS Case No 793 of 2022 dated 08.07.2022.

This application stands allowed.

(Chandra Prakash Singh, J)

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