

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45532 of 2023

Arising Out of PS. Case No.-72 Year-2023 Thana- BIRPUR District- Supaul

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Lalan Mehta @ Lalan Kumar Mehta Son Of Ramsahar Mehta Residents Of
Village- Bela Wrad No 4, Ps -NARPATGANJ (BASMATIYA Op) District-
Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar
For the Opposite Party/s : Mr.Uday Chand Prasad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 15-09-2023 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

8(C), 21(b) of the N.D.P.S. Act.

As per FIR, prosecution case relates to recovery

of 35.72 gram of narcotic substance like 'Brown Sugar'

from possession of co-accused persons.

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 of Brown sugar like narcotic substance and the same is alleged to be 35.72 gm which does not come under purview of commercial quantity as per N.D.P.S. Act. It is further submitted the provision of N.D.P.S. Act has not been followed by the prosecution. It is further submitted that the petitioner is languishing in judicial custody since 2.3.2023.

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 N.D.P.S.(Special) Case No. 16 of 2023 arising out of Birpur P.S. Case No. 72 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of



the like amount each to the satisfaction of learned
Sessions Judge-cum-Special Judge, N.D.P.S. Supaul.

(Sunil Kumar Panwar, J)

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