

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44050 of 2023

Arising Out of PS. Case No.-550 Year-2022 Thana- DIGHA District- Patna

=====

Arun Kumar Son Of Late Vishwanath Chaudhary R/O of Post Office Road,
Digha, PS- Digha, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 8(c), 21(b) of the NDPS Act.

The prosecution case relates to recovery of 8 packets (total 4 grams) containing ‘Brown Sugar’ were recovered from the possession of the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. The alleged recovery of narcotic material from the possession of the petitioner has not come within the purview of commercial quantity. The provision of NDPS Act has not been followed in this case. Similarly situated co-accused Amit Raj has already been granted bail by a co-ordinate Bench



of this Court vide order dated 25.04.2023 passed in Cr. Misc. No. 17508 of 2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. Moreover, petitioner is languishing in judicial custody since 19.08.2022.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Digha P.S. Case No. 550 of 2022 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 Additional District & Sessions Judge 17th, Patna or concern Court, Patna.

(Sunil Kumar Panwar, J)

lata/-

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

