

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43722 of 2023**

Arising Out of PS. Case No.-702 Year-2022 Thana- NAUBATPUR District- Patna

SANTOSH KUMAR @ DIGVIJAY KUMAR, Son of Jai Nandan Sharma
Resident of Taret, P.S.- Naubatpur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeeb Kumar Sanju, Advocate
For the Opposite Party/s : Mr.Ram Naresh Ray, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 27-07-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioner and learned A.P.P for the State.

3. The petitioner has preferred this application for grant of regular bail in connection with Special Case No. 212/ 2022 arising out of Naubatpur P.S. Case No. 702 of 2022 dated 21.10.2022 registered for the offences punishable u/ss 8 (c) / 21(b) (c) of the N.D.P.S. Act.

4. As per the prosecution case, 2.5 gm of smack like substance kept in 10 *purias* was recovered from the possession of the petitioner.

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



case. It is further submitted that the seized contraband is a small quantity. The co-accused person has already been granted bail by the Coordinate Bench of this court vide order dated 26.06.2023 passed in Cr. Misc. No. 33031 of 2023. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 22.10.2022.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna in connection with Special Case No. 212/ 2022 arising out of Naubatpur P.S. Case No. 702 of 2022

8. The application stands allowed.

(Chandra Prakash Singh, J)

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