

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44312 of 2023

Arising Out of PS. Case No.-315 Year-2023 Thana- GOPALGANJ TOWN District-
Gopalganj

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MUNNA TIWARI Son of Late Mukhtinath Tiwari @ Mukinath Tiwari
Resident of village - Tiwari Matihiniya, Khem Matihanian, P.S. -
Bishambarpur, Distt. - Gopalganj

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sourav Suman
For the Opposite Party/s : Mr.Rajendra Singh

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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.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 21(a), 21(c) of the
N.D.P.S. Act.

3. As per prosecution case, there has been recovery of
8.42 gram smack like substance from the right pant-pocket of
the petitioner.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner has no concern with the seized
smack like substance. He submitted that seized smack like
substance does not come within the purview of commercial



quantity as per N.D.P.S. Act. He further submitted that petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 26.04.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering 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 on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court concerned in connection with Gopalganj Town P.S. Case No. 315 of 2023.

(Sunil Kumar Panwar, J)

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