

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.45111 of 2023**

Arising Out of PS. Case No.-111 Year-2023 Thana- BRAHMPUR District- Buxar

Tuntun Paswan Son Of Late Garjan Paswan Resident Of Village- Brahampur,  
P.S.- Brahampur, Dist. -Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Surendra Kumar Singh

For the Opposite Party/s : Mr. Satyendra Narayan Singh

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      28-07-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 8(C), 21(B) of the N.D.P.S. Act.

3. As per FIR, prosecution case relates to recovery of 13.08 gram Heroine like intoxicating substance from possession of the petitioner which is kept in 38 sachet of paper. Accordingly, the seizure list has been prepared.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to high handedness of the police. The petitioner has no concern with the alleged recovery of Heroine like narcotic substance and the same is



alleged to be 13.08 gram 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 also submitted that the petitioner is languishing in judicial custody since 25.2.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. 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 Brahampur P.S. Case No. 111 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 Special Judge, N.D.P.S. Act-cum District & Sessions Judge, Buxar.

**(Sunil Kumar Panwar, J)**

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