

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.46398 of 2023**

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

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DILIP KUMAR PRASAD @ DILIP KUMAR S/O SURYADEV PRASAD  
R/O Village- Belwabrit, P.S- Kuchaykote, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Sanjay Kumar Jha  
For the Opposite Party/s : Mr.Vinod Shanker Modi

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

2      04-08-2023                      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 9.6 gram smack like substance from the  
possession 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. Similarly situated co-accuse has already been granted bail by this Court vide order dated 21.07.2023 passed in Cr. Misc. No. 44312 of 2023. It is further submitted that the petitioner 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 Sessions Judge, Gopalganj in connection with Gopalganj Town P.S. Case No. 315 of 2023.

**(Sunil Kumar Panwar, J)**

Manishkumar/-

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