

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47932 of 2023

Arising Out of PS. Case No.-85 Year-2023 Thana- UDAKISHUNGANJ District- Madhepura

Manoj Kumar S/O Ramchandra Yadav R/O Village- Pipra Karauti, Ward No. 01, Ps. Udakishunganj, Dist. Madhepura

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Durgesh Kumar

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 01-12-2023 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) and 21(a) of the NDPS Act.

3. Prosecution case relates to recovery of 1.5 grams of smack like narcotics substance from the possession of the petitioner.

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. The recovered smack does not come within the purview of commercial quantity as per NDPS Act. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Similarly



situated other co-accused person has already been granted bail by another co-ordinate Bench of this Court vide order dated 21.07.2023 in Cr. Misc. No. 39152 of 2023. Moreover, the petitioner is languishing in judicial custody since 25.03.2023.

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 Udakishunganj P.S. Case No. 85 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 Additional District and Sessions Judge-cum 1st Special Judge, Madhepura.

(Sunil Kumar Panwar, J)

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