

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50084 of 2023

Arising Out of PS. Case No.-117 Year-2023 Thana- BHAWANIPUR District- Purnia

Rajiv Mehta Son Of Sri Bechan Mehta Resident Of Village - Dhamdaha, P.S.
- Dhamdaha, Distt. - Purnea

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 8(c) and 21(b) of the N.D.P.S. Act.

The prosecution story is that the informant got secret information about illegal trading of smack like substance, thereafter, he reached at the grocery shop of the co-accused persons and apprehended them. On search, total 6.73 gram smack like substance was recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this present case merely on the confessional statement of co-accused. The petitioner has no



concern with the alleged recovery of smack like substance rather it was recovered from the grocery shop of co-accused persons and the same is lesser than commercial quantity as per N.D.P.S. Act. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Similarly situated co-accused persons have already been granted bail 14.07.2023 passed in Cr. Misc. No. 40182 of 2023. It is further submitted that the petitioner is languishing in judicial custody since 15.05.2023.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bhawanipur P.S. Case No. 117 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, NDPS, Act, Purnea.

(Sunil Kumar Panwar, J)

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