

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59469 of 2023

Arising Out of PS. Case No.-314 Year-2023 Thana- AHIYAPUR District- Muzaffarpur

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Avinash Kumar @ Goldi Singh Son Of Subodh Kumar @ Laddu Singh
Resident Of Village Shekhpur, Akharaghat, Kishnapur, Ps Ahiyapur, Dist-
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sri Niwas Jha

For the Opposite Party/s : Mr.Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-09-2023 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(b) of the NDPS Act and Sections 25(1-b)a/26/35 of Arms
Act.

3. Prosecution case relates to recovery of 6.16 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 due to village politics. It is
further submitted that the recovered incriminating material does



not come within the purview of commercial quantity as per NDPS Act and also there is no independent witness of the seizure list rather they are police personnel. Moreover, the petitioner is languishing in judicial custody since 17.03.2023.

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 **after framing of charge, if not framed**, in connection with Ahiyapur P.S. Case No. 314 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-cum-Sessions Judge, Muzaffarpur.

(Sunil Kumar Panwar, J)

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