

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51583 of 2023

Arising Out of PS. Case No.-346 Year-2023 Thana- MASAUDHI District- Patna

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Ravi Kumar Son Of Bijendra Ram Village- Shiv Shankar Nagar Ps- Masaurhi
Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dipak Kumar

For the Opposite Party/s : Mr.Vinod Shanker Modi

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 30-10-2023 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 8/20(b)(ii) (B) of the NDPS Act.

3. Prosecution case relates to recovery of 2.06 grams of brown sugar like intoxicating substance from the possession of this 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 provision of Section 100 Cr.P.C. has not been followed in this case. The recovered brown sugar like narcotic substance 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 04.09.2023 in Cr. Misc. No. 55586 of 2023. Moreover, the petitioner is languishing in judicial custody since 22.05.2023.

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 Masaurhi P.S. Case No. 346 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 District and Sessions Judge cum Spl. Judge N.D.P.S. Act, Patna.

(Sunil Kumar Panwar, J)

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