

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54825 of 2023

Arising Out of PS. Case No.-356 Year-2022 Thana- AMAUR District- Purnia

MD SHAHWAJ ALAM @ SAHWAZ @ MD SHAHABAJ, Male, aged about
27 years, S/O ABDUR RAHMAN @ ABDUL RAHMAN R/O VILLAGE-
MANGALPUR, PS. ROUTA, DIST. PURNEA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Hussain, Advocate

For the Opposite Party/s : Mr.Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 30-08-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Amour P.S. Case No. 356 of 2022 dated 23.12.2022 registered
for the offence(s) punishable under Section(s) 21(C)/22 and 25
of N.D.P.S. Act.

3. The main submissions advanced by the learned
counsel for the petitioner are that the instant matter relates to
the recovery of 15.470 grams of smack like material kept in
small packets but the alleged contraband is stated to have been
recovered from the possession of co-accused Mahfooz Alam @
Mahfuj Alam and as per the FIR the petitioner is stated to be
present with the said co-accused as a pillion rider on the



motorcycle, except this there is no any other allegation against the petitioner. Further submissions are that the petitioner has fair and clean antecedent and he has been languishing in jail since 24.12.2022 and co-accused Mahfooz Alam @ Mahfuj Alam from whose possession the alleged contraband which comes in the purview of intermediate quantity was recovered, has been granted bail by a co-ordinate Bench of this Court vide order passed in Cr. Misc. No.18182 of 2023.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions, this Court is inclined to accept the bail prayer of the petitioner. Accordingly, let the petitioner named-above be enlarged on bail in connection with Amour P.S. Case No. 356 of 2022 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

Sanjay/-

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