

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53877 of 2023

Arising Out of PS. Case No.-155 Year-2023 Thana- BIRPUR District- Supaul

Sarfaraj Alam @ Sarfaj Alam S/O- Anamul Haque Resident Of Village-
Kumiyahi Ward No-05 , Police Station - Bhattawari, District -SUNSARI
Nepal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun

For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 29-11-2023 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 section 21(c) of the
NDPS Act.

3. Prosecution case relates to recovery of Tramol-50
capsule which is 4800 in numbers 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 illegal
medicine does not come within the purview of commercial
quantity as per NDPS Act. He has no concern with the seized



article and also nothing has been recovered from the conscious possession of the petitioner. A statement has been made in para- 3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 10.05.2023.

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 **after framing of charge if the charge is not framed** in connection with Birpur P.S. Case No. 155 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 Sessions Judge, Supaul.

(Sunil Kumar Panwar, J)

Shubham/-

U		T	
---	--	---	--

