

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55254 of 2023

Arising Out of PS. Case No.-220 Year-2023 Thana- BIHAR District- Nalanda

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Babloo Kumar @ Gera S/O Late Anuj Prasad @ Anoj Prasad @ Anuj Kumar
R/O Village/Mohalla- Mugalkua, Ps. Sohsarai, Dist. Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Virendra Prasad

For the Opposite Party/s : Mr.Sanjay Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-08-2023 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 17, 18, 20, 22, 25, 27 of the N.D.P.S. Act.

3. As per FIR, prosecution case relates to recovery of 32 gram Brown sugar like substance from possession of the petitioner who was arrested on spot.

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 petitioner has no concern with the alleged recovery of brown sugar like narcotic substance and the same is alleged to be 32 gm which does not come under purview of commercial quantity as per N.D.P.S.



Act. It is further submitted the provision of N.D.PS. Act has not been followed by the prosecution. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition. It is further submitted that the petitioner is languishing in judicial custody since 7.3.2023.

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 Bihar P.S. Case No. 220 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-cum-Special Judge, Biharsharif, Nalanda.

(Sunil Kumar Panwar, J)

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