

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58555 of 2022

Arising Out of PS. Case No.-61 Year-2022 Thana- JALALGARH District- Purnia

Chotu Kumar Sahani @ Chhotu Kumar @ Chhotu Sahani Son Of
Turantisahani Village- Rajanichowk, Gokhul, P.S.- Sahayakkhajanchi, Distt.-
Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kanchan Kumari

For the Opposite Party/s : Mr.Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 8(C), 21(C),
25, 29 of the N.D.P.S. Act.

Prosecution case relates to recovery of 100 grams
smack from the possession of petitioner and 300 grams smacks
also recovered from the other co-accused persons at the time of
their arrest.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case. A statement has been made
in para-3 of the petition that the petitioner has got no criminal



antecedent. The petitioner has been alleged to have 100 grams smack but he has no concern with it and the alleged recovery of smack is lesser than commercial quantity. Moreover, similarly situated co-accused persons namely, Vipul @Bipul and Raushan Kumar have already been granted bail by a coordinate bench of this court in Cr. Misc. No. 47515 of 2022 and 50287 of 2022, respectively. It is further submitted that the petitioner is languishing in judicial custody since 29.3.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case and 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 Jalalgarh P.S. Case No. 61 of 2022 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, N.D.P.S. Act, Purnea.

(Sunil Kumar Panwar, J)

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