

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57162 of 2023

Arising Out of PS. Case No.-271 Year-2023 Thana- MANER District- Patna

RAHUL KUMAR SON OF LATE VIJAY SINGH @ VIJAY SAW
RESIDENT OF MIRA NAGAR, DEVI ASTHAN MANER, PS- MANER
DIST- PATNA. PERMANENT ADDRESS- SAIJABAD, PS- RANI TALAB,
DIST- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kamla Kant Pandey

For the Opposite Party/s : Mr.Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 8(c), 20(B) of the
N.D.P.S. Act.

3. As per prosecution case, on secret information
received, police party reached the house of co-accused Bharat
Prasad and started checking on search there has been recovery
of 1.53 gm *smack* from the possession of the petitioner, which
was kept in three *puriya*.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that the petitioner has no



concern with the seized smack. He submitted that seized smack like substance does not come within the purview of commercial quantity as per N.D.P.S. Act. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He further submitted that the other co-accused has already been granted bail by a Co-ordinate Bench vide order dated 06.09.2023 passed in Cr. Misc. No. 59267 of 2023. He is languishing in judicial custody since 12.04.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court below in connection with Maner P.S. Case No. 271 of 2023.

(Sunil Kumar Panwar, J)

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