

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58579 of 2023

Arising Out of PS. Case No.-371 Year-2023 Thana- MANER District- Patna

GUDDU KUMAR S/O- LATE GANESH SINGH R/O- JAMUNIPUR, P.S.-
MANER, DIST.- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR, PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary

For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 8(C)/20(B) of the NDPS Act.

3. Prosecution case relates to recovery of 21.56 gram of smack from a tempo and three accused persons including the petitioner were arrested on spot.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. Police has not complied the mandatory provision of Section 50 of the NDPS Act. There is no separate seizure list of the case. He has been falsely implicated in this case.Petitioner has no concern either with the alleged vehicle or with the



contraband items. The quantity of alleged recovery is below the commercial quantity. Petitioner has got no criminal antecedent and languishing in judicial custody since 21.5.2023.

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, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail **after framing of charge** 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 ADJ XII, Patna in connection with Special Case NDPS No. 147 of 2023 arising out of Maner PS Case No. 371 of 2023.

(Sunil Kumar Panwar, J)

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