

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58366 of 2022

Arising Out of PS. Case No.-290 Year-2022 Thana- JAKKANPUR District- Patna

Kundan Kumar Son of Mantu Rai, R/O Village- Mithapur, Old Bus Stand,
Shivam Gest House Gali, P.S.- Jakkanpur, Distt.- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance:

For the Petitioner : Mr. Uday Prasad Singh, Advocate
For the Opposite Party : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 17-02-2023 Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Jakkanpur P.S. Case No. 290 of 2022 registered for the offence punishable under Section 20(b)(ii)(A),(B) of NDPS Act.

As per the prosecution, the police personnel while on patrolling duty apprehended this petitioner from the alleged place and from his possession ten *pudiyas* of narcotic material suspected to be ‘Brown Sugar’ weighing 8 grams was recovered.

The main submissions advanced by learned counsel for the petitioner are that the instant matter relates to the recovery of 8gm

of narcotic material suspected to be ‘Brown Sugar’ kept in 10 pouches and the said recovery of narcotic material comes under intermediate quantity and less than commercial quantity and the petitioner has been languishing in jail for last eight months and fifteen days having fair and clean antecedent and during the jail custody the petitioner was assaulted by co-prisoners for which Beur P.S. Case No. 369 of 2022 has been lodged and against the petitioner the investigation is still pending.

Learned APP for the State has opposed the bail prayer.

In view of the facts, as stated above, and mainly considering the petitioner’s young age mentioned in this petition and his fair and clean antecedent and his custody period and also the quantity of the alleged contraband, in the opinion of this Court, the petitioner deserves to the privilege of bail. Accordingly, let the petitioner named above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court in connection with Jakkanpur P.S. Case No. 290 of 2022.

(Shailendra Singh, J)

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