

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61276 of 2023

Arising Out of PS. Case No.-295 Year-2023 Thana- BAISI District- Purnia

Mustak Ansari @ Mustaque Ansari S/O Late Taslim Ansari R/O Vill.- Baisai
Bazar, Pani Sadra, Durga Mandir Road, P.S Baisi , District- Purnea

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brisketu Sharan Pandey

For the Opposite Party/s : Mr.Rita Verma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 8(c), 21(b) of the NDPS Act.

3. Prosecution case relates to recovery of 12 grams of smack like narcotics substance from the possession of the petitioner.

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 recovered incriminating article(smack) does not come within the purview of commercial quantity as per NDPS Act. There is no independent witness of the seizure list rather they are police personnel. A statement has



been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 08.07.2023.

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 **after framing of charge, if the charge is not framed**, in connection with Baisi P.S. Case No. 295 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 Special Judge, NDPS Act, Purnea.

(Sunil Kumar Panwar, J)

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