

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61089 of 2023

Arising Out of PS. Case No.-561 Year-2023 Thana- PURNEA SADAR District- Purnia

NEERAJ KUMAR S/o LATE RAJU BHAGAT MOHALLA DRIVER TOLA,
RAMBAGH, PS SADAR, DISTT. - PURNIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha

For the Opposite Party/s : Mr.Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-09-2023 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) and 21(b) of the
N.D.P.S. Act.

3. As per prosecution case, on secret information
received that petitioner is engaged in the business of smack
thereafter, police party started checking the house of the
petitioner and on search there has been recovery of 76.8 gm
Smack (Brown Sugar) like substance from the house of the
petitioner.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner has apprehended on spot. 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. He further submitted that petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 22.06.2023.

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 **after framing of charge, if not framed**. 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 Purnea Sadar P.S. Case No. 561 of 2023.

(Sunil Kumar Panwar, J)

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