

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 60430 of 2023

Arising Out of PS. Case No.-367 Year-2023 Thana- MASAUDHI District- Patna

Amrit Kumar @ Sachin @ Sachin Kumar @ Sachin Kumar Yadav S/O
Jainath Prasad @ Jayanath Yadav Resident Of Manichak, Ps. Masaurhi, Dist.
Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amar Kumar Singh

For the Opposite Party/s : Mr.Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-09-2023 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 8/20 (b)(ii)(B)
of the N.D.P.S. Act.

3. As per prosecution case, there has been
recovery of total 1.03 gm brown sugar like substance from
the pocket 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. The petitioner has no
concern with the seized smack like substance and the seized



smack like substance is lesser than smaller quantity as per N.D.P.S. Act. The provision of Section 50 of the N.D.P.S. Act has not followed in this case. Similarly situated co-accused has already been granted bail by this Court vide order dated 04.09.2023 passed in Cr. Misc. No. 59118 of 2023. Moreover, the petitioner is languishing in judicial custody since 30.05.2023.

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 Masaudhi P.S. Case No. 367 of 2023.

(Sunil Kumar Panwar, J)

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