

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62616 of 2023

Arising Out of PS. Case No.-349 Year-2022 Thana- NAUGACHIA District- Bhagalpur

RAJAN SINGH @ MONU SON OF SURESH SINGH RESIDENT OF
MADAROUNI, P.S. - NAUGACHIA, DISTRICT - BHAGALPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madan Mohan

For the Opposite Party/s : Mr.Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-09-2023 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, 17 (B) and 22(B) of
the N.D.P.S. Act.

3. As per prosecution case, on secret information
received that two persons are travelling with a motorcycle
carrying smack like substance, thereafter police party started
checking the vehicle and on search there has been recovery of
200 gm *Smack* from the possession 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. He submitted that the petitioner has no
concern with the seized smack. He submitted that the seized



smack like substance does not come within the purview of commercial quantity as per N.D.P.S. Act. The provision of Section 50 of the N.D.P.S. Act has not been followed in this case. 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 10.11.2022.

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. 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 Naugachia P.S. Case No. 349 of 2022.

(Sunil Kumar Panwar, J)

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