

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60186 of 2023

Arising Out of PS. Case No.-572 Year-2023 Thana- PURNEA SADAR District- Purnia

Pawan Kumar S/O Ganesh Prasad Rai @ Ganesh Prasad Roy Resident Of
Bibiganj, Ps. Sadar, Dist. Purnea

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Fazle Karim

For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-09-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is languishing in custody in a
case registered for the offences punishable under
Sections 8(c) and 21(b) of the N.D.P.S. Act.

There is recovery of 7.8 grams of smack
(brown sugar) from the possession of the petitioner.

It is submitted by learned counsel for the
petitioner that petitioner is innocent and he has falsely
been implicated in this case. Nothing has been recovered
from the conscious possession of the petitioner. The
petitioner has no concern with the seized contraband.



Moreover, the recovered contraband does not come within the ambit of commercial quantity. The petitioner is languishing in custody since 26.06.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail **after framing of the charge, if the charge has not been framed** and on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Special Judge, N.D.P.S. Act, Purnea in connection with Sadar P.S. Case No. 572 of 2023.

(Sunil Kumar Panwar, J)

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