

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61287 of 2023

Arising Out of PS. Case No.-173 Year-2023 Thana- DAGARUA District- Purnia

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Rahul Kumar S/O Arvind Kumar Singh Resident Of Bishwaspur , Ward No. 8, Ps. Dagarua, Dist. Purnea

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Md Fazle Karim

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

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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), 25 and 29 of the NDPS Act.

3. Prosecution case relates to recovery of 40 grams of smack like narcotics substance from bike and car.

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. He has no concern either with the recovered smack or with the seized vehicles. Nothing has been recovered from his conscious possession. The recovered smack like narcotics substance does not come within the purview of commercial quantity as per NDPS Act. A



statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Similarly situated other co-accused person has already been granted bail by the different co-ordinate Bench of this Court vide order dated 04.09.2023 in Cr. Misc. No. 53576 of 2023. Moreover, the petitioner is languishing in judicial custody since 01.06.2023.

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 in connection with Dagarua P.S. Case No. 173 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, N.D.P.S. Act, Purnea.

(Sunil Kumar Panwar, J)

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