

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58125 of 2022

Arising Out of PS. Case No.-563 Year-2022 Thana- NAGAR District- Vaishali

CHUNNU PASWAN SON OF BHUIYAN BABA R/O VILLAGE- HELA
BAZAR, P.S.- TOWN HAZIPUR, DISTRICT- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok

For the Opposite Party/s : Mr.Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 20-01-2023 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Town P.S. Case No. 563 of 2022, registered for the offence punishable under Sections 8(C), 21(b), 22 of the NDPS Act.

The allegation is regarding the police party having apprehended the petitioner and upon search 7.420 grams of smack was recovered.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 24.7.2022. The learned counsel



for the petitioner has further submitted that the quantity of smack, recovered from the petitioner, is much less than the commercial quantity defined in the schedule notified under the provisions of the NDPS Act, 1985 i.e. 250 grams, hence, there is no impediment in grant of bail to the petitioner.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials on record as also considering the fact that the quantity of smack, recovered from the petitioner, is much less than the commercial quantity defined in the schedule notified under the provisions of the NDPS Act, 1985, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail



bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Vaishali Hajipur in connection with Town P.S. Case No. 563 of 2022.

(Mohit Kumar Shah, J)

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