

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64318 of 2022

Arising Out of PS. Case No.-98 Year-2022 Thana- ARA RAIL P.S. District- Bhojpur

CHHOTU KUMAR @ KRISHNA S/o Late DijalBind @ Disil Bind R/o
Village- Brahampur Ward no. 28, P.S.- Beur, Distt- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India through the Director General (N.D.P.S. Unit), Patna (Bihar)

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Neeraj Kumar @ Sanidh, Advocate
For the Union of India	:	Mr. Manoj Kumar Singh, CGC
	:	Mr. Ankit Kumar Singh, JC to CGC
	:	Mrs. Priya, JC to CGC
For the Opposite Party/s	:	Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 27-02-2023 Let the defect(s), if any, pointed out by the office

be removed within three weeks from the date of this order,

failing which the matter be listed again under the

appropriate heading for necessary action.

Heard learned counsel for the petitioner, learned
counsel for the Union of India and the learned APP for the
State.

Petitioner seeks regular bail in connection with
Rail Ara P.S. Case No.98 of 2022 registered for the offence
punishable under Section 21(b) of the NDPS Act.

As per the prosecution, the police personnel



apprehended this petitioner and from his possession 18 pudiyas of narcotic material suspected to be Brown Sugar weighing 8 grams were recovered.

The main submissions advanced by the learned counsel for the petitioner are that the petitioner has fair and clean antecedent and the alleged recovered narcotic material suspected to be Brown Sugar is only 8 grams which is not commercial quantity but is intermediate quantity and the petitioner is a young person and has been languishing in jail since 16.08.2022 and the mandatory provisions of NDPS Act were not followed by the concerned police officials who made search and seized the alleged contraband.

Learned counsel appearing for the Union of India has vehemently opposed the bail prayer.

Having considered the aforesaid facts and mainly the quantity of the alleged contraband and petitioner's custody period and his fair and clean antecedent, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the



satisfaction of the concerned Court in connection with Rail
Ara P.S. Case No.98 of 2022.

(Shailendra Singh, J)

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