

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65192 of 2023

Arising Out of PS. Case No.-271 Year-2023 Thana- MANER District- Patna

Abhishek Kumar @ Abhishek Kumar Singh @ Gulshan Son Of Indrajeet Singh @ Indrajeet Kumar Singh Resident Of Village - Satyendra Nagar, Mahadev Asthan, Police Station - Maner, District - Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rupesh Kumar

For the Opposite Party/s : Mr.Dr. Indiwari Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-10-2023 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), 20(B) of the NDPS Act.

3. Prosecution case relates to recovery of total 5.53 grams of smack from altogether three accused persons including this petitioner.

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. The recovered smack like substance does not come within the purview of commercial quantity as per NDPS Act. There is no independent witness of



the seizure list rather they are police personnel. Similarly situated other co-accused person has already been granted bail by this Court vide order dated 08.09.2023 in Cr. Misc. No. 57162 of 2023. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 12.04.2023.

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 Maner P.S. Case No. 271 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 Additional Sessions Judge, XII, Patna.

(Sunil Kumar Panwar, J)

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