

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.62847 of 2023**

Arising Out of PS. Case No.-439 Year-2023 Thana- DIGHA District- Patna

Jay Mangal Kumar @ Kuku @ Puku Son Of Umesh Singh R/O Kachura  
Ravan Tola, Ps. - Gaurichak, Distt. - Patna, At Present Address - Kurji  
Balupar Shakti Nagar In House Of Danish Pandit P.S - Digha, Distt. Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Manoj Kumar Singh

For the Opposite Party/s : Mr.Atul Chandra

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      22-09-2023      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) and  
21(c) of the NDPS Act.

3. Prosecution case relates to recovery of 5.61 grams  
of brown sugar like narcotics substance from the possession of  
the 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 brown sugar  
like narcotics 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.  
Moreover, the petitioner is languishing in judicial custody since 17.06.2023.

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 Digha P.S. Case No. 439 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 District and Sessions Judge XXVIII, Patna.

**(Sunil Kumar Panwar, J)**

Shubham/-

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