

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64807 of 2023

Arising Out of PS. Case No.-226 Year-2023 Thana- BAJPATTI District- Sitamarhi

Sanjit Kumar @ Sanjeet Kumar, aged about 23 years, Male, Son of
Satyanarayan Ray @ Saty Narayan Rai, Resident of Village - Banchauri, P.S.
- Dumara, District – Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Rajani Kant Pandey, Advocate
For the Opposite Party : Mr. Dr. Mrityunjaya Kr. Gautam, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 12-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Bajpatti P.S. Case No. 226 of 2023 dated 31.07.2023 registered for the offence punishable under Sections 379, 420 of the I.P.C. and Section 22(B) of the N.D.P.S. Act.

3. As per the prosecution case, on search, nine packets of TAZOWIN Pentazocine Injection IP 30 mg/m/ BN-PET2302 five pieces in two sachets TAZOWIN Pentazocine Injection IP30mg/m/, BN TAZ 23014 were recovered.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. The petitioner has clean antecedent, as stated in paragraph no. 3 of the bail petition. It is submitted that as per the seizure list, total 570 mg contraband was recovered which is less than commercial quantity. There is no compliance of Section 50 of the N.D.P.S. Act. The petitioner has been arrested from his house and police roped him in the present case at the instance of his agates, and as such, nothing has been recovered from his conscious possession. The petitioner is a student of B.A. Part-I and in support of his contention, he has annexed xerox copy of the Admit Card for examination which was conducted by the 'Babasaheb Bhimrao Ambedkar Bihar University', Muzaffarpur, from 28.06.2023, annexed as Annexure-2 to the bail petition. He is in custody in this case since 01.08.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court concerned, Sitamarhi, in connection with Bajpatti P.S. Case No. 226 of 2023 with the



condition:-

(I) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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