

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68102 of 2023**

Arising Out of PS. Case No.-332 Year-2023 Thana- KISHANGANJ District- Kishanganj

MD. ALAM @ BACHHADIN SON OF NASIRUDDIN RESIDENT OF
BANDARJHULA, P.S. - JIYAPOKHAR, DISTRICT - KISHANGANJ

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.Arvind Kuamr Pandey (App.84)

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

3 15-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 8 (c) and 21(b) of the N.D.P.S. Act.

The prosecution case relates to recovery of total 5.240 gram brown sugar, one mobile and cash of Rs. 3400/- from the possession of the petitioner .

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to high handedness of police. Petitioner has no concern with the alleged recovery and recovered 5.240 gram brown sugar does not come within the purview of commercial quantity. It is further submitted that the



seizure list was not prepared under the provision of Cr.P.C. and N.D.P.S. Act. Petitioner is languishing in judicial custody since 19.08.20223.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody of the petitioner, this court is inclined to enlarge the petitioner on bail **after framing of charge**. The above named petitioner is directed to be released on bail in connection with Kishanganj P.S. Case No. 332 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 Sessions Judge-cum-Special Judge (N.D.P.S. Act), Kishanganj

(Sunil Kumar Panwar, J)

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