

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67481 of 2023

Arising Out of PS. Case No.-376 Year-2023 Thana- GARDANIBAG District- Patna

MD RASEED Son of Md Shafeeq R/o mohalla - Paharpur, P.S. -
Gardanibagh, Dist. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Asfar Imam

For the Opposite Party/s : Mr.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 31-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

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

3. As per prosecution case, one secret information
received that some persons are doing business of *Smack* at the
Khatal of Ramprawesh Rai then the police party reached at that
place and on search there has been recovery of 1.7 Gram *Smack*
from the possession of the petitioner and from others co-accused
persons also.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that the petitioner has no



concern with the seized *Smack*. He submitted that seized *Smack* like substance does not come within the purview of commercial quantity as per N.D.P.S. Act. Further, it is submitted that the other co-accused has already been granted bail by a Co-ordinate Bench vide order dated 17.10.2023 passed in Cr. Misc. No. 67164 of 2023. He is languishing in judicial custody since 14.05.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional District Judge-XII, Patna in connection with Gardanibag P.S. Case No. 376 of 2023.

(Sunil Kumar Panwar, J)

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