

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67825 of 2023

Arising Out of PS. Case No.-259 Year-2022 Thana- KISHANGANJ District- Kishanganj

Krishna Ray @ Krishna Ram @ Krishna Son Of Budhan Ram R/O Behind
Bihar Bus Stand, Kishanganj, P.S - Kishanganj, Distt. - Kishanganj

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Superintendent, Narcotic Drugs, Bihar, Patna Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-11-2023 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 17(a), 18(a) and 21(a) of the NDPS Act.

3. Prosecution case relates to recovery of 9.710 grams of smack from the petitioner's house and his wife was arrested on spot.

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 petitioner is not named in FIR rather his name came into light in this case only because he happens to be the husband of Muskaan (petitioner's wife).



The recovered smack like narcotics substance does not come within the purview of commercial quantity as per NDPS Act. Moreover, the petitioner is languishing in judicial custody since 21.07.2023.

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 Kishanganj P.S. Case No. 259 of 2022 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 NDPS Act, Kishanganj.

(Sunil Kumar Panwar, J)

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