

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70150 of 2023

Arising Out of PS. Case No.-37 Year-2023 Thana- THAKURGANJ District- Kishanganj

Shah Jamal S/O Md. Atikul R/O Baghmara, P.S.-Thakurganj, P.O.-
Thakurganj, Dist.-Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar
For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 17(a), 18(a), 21(a),
22(a), 23(a), 27(a) and 29 of the N.D.P.S. Act.

3. As per prosecution case, there has been recovery of
1.720 Gm Smack like substance from the possession of co-
accused person.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner was not apprehended on spot.
The name of the petitioner has come into light on the basis of
confessional statement of co-accused Bijay Mandal, which has
got no evidentiary value in the eyes of law. He submitted that



the petitioner has no concern with the seized *Smack*. No incriminating article has been recovered from the conscious possession of the petitioner. He is languishing in judicial custody since 08.08.2023.

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 Court concerned in connection with Thakurganj P.S. Case No. 37 of 2023.

(Sunil Kumar Panwar, J)

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