

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69212 of 2022

Arising Out of PS. Case No.-226 Year-2022 Thana- THAWE District- Gopalganj

Shahbaj Alam Son Of Noor Alam @ Md Nurain Resident Of Village -
Bharkuiya Ward No.- 6, P.S.- Barauli, Dist.- Gopalganj At Present R/O
Village - Sareya Ward No.- 2, P.S.- Gopalganj Town, District - Gopalganj.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Singh

For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 27-02-2023 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner has filed the instant application for
grant of regular bail in a case registered for the offences
punishable under Sections 8(c)/21(a) of N.D.P.S. Act.

It is a case of recovery of 1.5 grams of smack like
narcotics substance, from the possession of petitioner.

It is submitted by learned counsel for the petitioner
that the petitioner is innocent and he has falsely been
implicated in the present case. There is no independent
witness of the alleged seizure. The seized contraband
substance smack is lesser than commercial quantity as per
N.D.P.S. Act. Moreover, petitioner is languishing in judicial



custody since 14.09.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Thawe P.S. Case No. 226 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned District & Session Judge, Gopalganj.

(Sunil Kumar Panwar, J)

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