

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.72235 of 2023**

Arising Out of PS. Case No.-439 Year-2023 Thana- BUXAR District- Buxar

NAUSHAD ALAM SON OF LATE ZAHOOOR AHAMAD @ JAHUR  
AHMAD RESIDENT OF NAI BAZAR (WARD NO. 8), BUXAR, P.S.-  
BUXAR TOWN IN THE DISTRICT OF BUXAR

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. THE SUPERINTENDENT OF POLICE, NARCOTICS DRUGS AND  
PSYCHOTROPIC SUBSTANCE, BIHAR, PATNA BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sunil Kumar  
For the Opposite Party/s : Mr.Satya Nand Shukla

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

3      08-12-2023                      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 8/21 (c) of the N.D.P.S.  
Act.

3. As per prosecution case, there has been recovery of  
86 Gm *Heroine* like substance from the possession of the  
petitioner.

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 *Heroine*. He submitted that seized



*Heroine* like substance does not come within the purview of commercial quantity as per N.D.P.S. Act. He further submitted that petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 14.08.2023.

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 **after framing of charge, if not framed**. 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 District and Sessions Judge-cum-Spl. Court, N.D.P.S. Act, Buxar in connection with Buxar P.S. Case No. 439 of 2023.

(Sunil Kumar Panwar, J)

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