

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71910 of 2022

Arising Out of PS. Case No.-329 Year-2022 Thana- BUXAR District- Buxar

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DHARMENDRA RAM S/O LATE HRIDAY NARAYAN RAM Resident of
village- Shantinagar, Buxar, Ward No- 34, P.S Buxar (T), District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramakant Yadav

For the Opposite Party/s : Mr. Shyam Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 21, 22, 27
of the N.D.P.S. Act.

Prosecution case relates to recovery of 55 gram
Heroin like intoxicating substance kept in seven sachet from
the possession of the petitioner.

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 has no
concern with the alleged recovery of narcotic substance.
Learned counsel for the petitioner further submits that the small
quantity of Heroin starts from 5 gram and the commercial



quantity of Heroine starts from 250 grams whereas, the recovered Heroine/narcotic substance from the petitioner was alleged to be 55 grams which does not come under purview of commercial quantity as per the N.D.P.S. Act. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 19.6.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering 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 released on bail in connection with Buxar (T) P.S. Case No. 329 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 District Judge-cum-Special Court, N.D.P.S. Act, Buxar.

(Sunil Kumar Panwar, J)

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