

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71022 of 2022

Arising Out of PS. Case No.-133 Year-2022 Thana- MITHANPURA District- Muzaffarpur

Md. Junaid Son Of Md. Jawed R/O Vill.- Basti Sarai, Galla Mandi, P.S.-
Kotwali, Distt.- Basti (U.P.), Presently Reside At Mohalla Behind Tinkothiya
Abeda School, Sabri Nagar, P.S.- Mithanpura, Distt.- Muzaffarpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nachiketa Jha

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-02-2023 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 8/20(b)(ii)(B) of
N.D.P.S. Act.

As per the allegation in F.I.R., 36 grams of
Smack like narcotics substance, wrapped in 93 sachets,
has been recovered from the possession of the
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. It is also submitted that petitioner is languishing in judicial custody since 6.5.2022. The seized contraband Smack like substance is lesser than commercial quantity as per N.D.P.S. Act. It is further submitted that charge sheet has been submitted without obtaining the F.S.L Report of the seized article and the rules & regulations of seizure as well as procedure of N.D.P.S. Act has not been followed. 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 Mithanpura P.S. Case No. 133 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 Sessions Judge-cum-Special Judge, Muzaffarpur.

(Sunil Kumar Panwar, J)

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