

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76376 of 2023

Arising Out of PS. Case No.-144 Year-2023 Thana- SIKTI District- Araria

Chitra Kumar Rupal @ Chitra Kumar Rupal S/O- Harilal Bishwakarma @
Hari Rupal Bishwakarma R/O- Village- Sanichari, Pathri, Ward No.- 04, P.S.-
Pathri, Dist.- Morang (Nepal). At Present Residing At Village- Mahajanpara,
P.S.- Rangjuli, Dist.- Gopalpara (Assam)

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rabindra Kumar Priyadarshi

For the Opposite Party/s : Mr.Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 21(b) of the
N.D.P.S. Act.

3. As per prosecution case, the petitioner is said to
have been apprehended by police from whose possession, 30
gram smack like contraband substance was recovered.

4. 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 smack like narcotic
substance and the same is alleged to be 30 gram which does no



come under purview of commercial quantity as per N.D.P.S. Act. It is further submitted the provision of N.D.P.S. Act has not been followed by the prosecution. The petitioner has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 13.5.2023.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sikti P.S. Case No. 144 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, NDPS, Araria.

(Sunil Kumar Panwar, J)

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