

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79854 of 2023

Arising Out of PS. Case No.-725 Year-2023 Thana- KHAJANCHI HAT District- Purnia

Shivam Kumar Son Of Arvind Yadav Resident Of Village- Lila Mali, Ward
No. 6, Ps- Bhawanipur, Dist- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pathak

For the Opposite Party/s : Mr.Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-12-2023 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 8(c) and 21(a) of the NDPS Act.

3. Prosecution case relates to recovery of 48.01 grams of smack like intoxicating substance from the possession of this petitioner.

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 recovered smack does not come within the purview of commercial quantity as per NDPS Act. It is further submitted by learned counsel for the petitioner that charge has been framed on 21.11.2023. Moreover,



the petitioner is languishing in judicial custody since 13.06.2023.

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 K.Hat (Sahayak) P.S. Case No. 725 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 Act, Purnea.

(Sunil Kumar Panwar, J)

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