

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.738 of 2023

Arising Out of PS. Case No.-47 Year-2022 Thana- GALGALIYA District- Kishanganj

MD. SAFIQUE @ SAFIQUE S/o Late Md. Hasim @ Md. Hasim R/o-
Tiropatti, P.S.- Galgalia, District- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Sinha

For the Opposite Party/s : Mr. Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-04-2023 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 8(c), 21 (b) of the N.D.P.S.
Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 14.09.2022 and is a person with
clean antecedent and allegation is of recovery of 7.010 gm. of
brown sugar from the house of Md. Safique (petitioner).

Learned counsel for the petitioner submits that the
house is a joint family property as has been specifically pleaded
at Para-10, it is also submitted that the house is not registered in
the name of the petitioner and the alleged recovery is little more



than small quantity but much less than commercial quantity. It is further submitted that commercial quantity of Brown Sugar is 250 grams and small quantity is 5 grams and less, it is thus submitted that in order to implicate the petitioner and other family members, the alleged recovery is shown as little more than small quantity.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, let the petitioner above named be released on bail 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 court below where the case is pending/successor court in connection with Galgalia P.S. Case No. 47 of 2022.

One of the bailors of the petitioner shall be his *Bhabhi* Shabnam Begum.

(Satyavrat Verma, J)

Adnan/-

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