

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3272 of 2023

Arising Out of PS. Case No.-16 Year-2022 Thana- BUDDHACOLONY District- Patna

SREEMATI SAPNA DEVI @ BHAUJI W/o Abhay Singh R/o mohalla- P and
T Colony, P.S.- Budha Colony, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Farooque Azam

For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-04-2023 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 8(c), 21(B) of the NDPS Act.

Prosecution case relates to recovery of 48 sachet (weight 26 gram approx) of smack like substance from the possession of the petitioner.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. The seizure list is manipulated by the police. Police has not complied the mandatory provision of Section 50 of the NDPS Act. Allegedly, recovery of 26 gram smack like substance from the possession of the petitioner, comes below the



commercial quantity. Petitioner has no criminal antecedent and languishing in judicial custody since 11.01.2022.

Learned APP appearing for the State has opposed the prayer of 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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions XIII Patna, Special Judge NDPS Act in connection with Budha Colony P.S. Case No. 16 of 2022.

(Sunil Kumar Panwar, J)

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