

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60 of 2023

Arising Out of PS. Case No.-216 Year-2022 Thana- SARAI District- Vaishali

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Bajrang Kumar, Son of Sri Ram Prasad Singh, R/v- Anjani, P.S.- Sarai,
District- Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh

For the Opposite Party/s : Ms.Nirmala Kumari

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 22-06-2023 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 22/23 of the N.D.P.S. Act but the chargesheet has been submitted by the police under Section 414 of the Indian Penal Code and Section 8 (C), 21(B) of the N.D.P.S. Act.

According to F.I.R., it is a case of recovery of total 150 packets (87.610gm) of the smack like substance from the petitioner. It is further alleged that the petitioner and other co-accused were apprehended on the spot and from their possession one motorcycle was also recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Petitioner has no concern



with the alleged recovery and recovered 87.610gm smack like substance does not come within the purview of commercial quantity. As per Annexure-2, recovered motorcycle belongs to the petitioner. It is further submitted that the petitioner is languishing in judicial custody since 15.07.2022.

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

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of 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 Sarai P.S. Case No. 216 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I-cum-Special Judge, N.D.P.S. Act, Vaishali at Hajipur.

(Sunil Kumar Panwar, J)

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