

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81694 of 2023

Arising Out of PS. Case No.-174 Year-2023 Thana- MOTIPUR District- Muzaffarpur

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MUKESH KUMAR S/O SRI KAMAL SAH RESIDENT OF VILLAGE-
BATHANA, P.S- MOTIPUR, DISTRICT- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar Pandey

For the Opposite Party/s : Mr.Narendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 18-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 8(C), 21(b) of NDPS
Act.

As per allegation in the FIR, on getting secret information
police party proceeded towards place of occurrence, and
apprehended two accused persons including the petitioner. On
search, 186 sachet of Smack (93 grams) were recovered from
possession of the petitioner

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has been falsely implicated in this Case. The
recovered article comes below the commercial quantity. The



other co-accused namely, Lakhindra Sah from whose possession 250 grams smack was recovered, has already been granted bail by this Bench vide order dated 06.11.2023 passed in Cr. Misc. No. 70265 of 2023. Petitioner has got no criminal antecedent and languishing in judicial custody since 11.6.2023.

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 **after framing of charge**. 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 Judge 11th-cum Special Judge, Muzaffarpur in connection with Motipur P.S. Case No. 174 of 2023.

(Sunil Kumar Panwar, J)

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