

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82423 of 2023

Arising Out of PS. Case No.-942 Year-2023 Thana- KHAJANCHI HAT District- Purnia

GUNJAN KUMAR Son of Dinesh Sharma R/o Sudin Chowk, Tatma Toli,
P.S. - K. Hat (Maranga), Dist.- Purnea

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar Singh

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-12-2023 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)/21(b) of the N.D.P.S. Act.

3. According to the prosecution case, the petitioner is said to have been apprehended by police from whose possession, total 22 gram of brown sugar like substance was recovered.

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 petitioner has no concern with the alleged recovery of brown sugar like narcotic substance and the same is alleged to be 22 gram which does not



come under purview of commercial quantity as per N.D.P.S. Act. It is further submitted the provision of N.D.P.S. Act has not been followed by the prosecution. It is also submitted that the petitioner is languishing in judicial custody since 11.8.2023.

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 him on bail. The above named petitioner is directed to be released on bail **after framing of charge, if not framed** in connection with K. Hat (Maranga) P.S. Case No. 942 of 2023 (Special Case No. 101 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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