

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8055 of 2024

Arising Out of PS. Case No.-460 Year-2023 Thana- MITHANPURA District- Muzaffarpur

Rakesh Kumar S/O Haridar Prasad Resident Of Nauranga Mil Ward No. 10,
Ps.- Kalyanpur Road, Dist. Samastipur, At Present R/O Village- Tin Kothiya,
Aweda School Road No. 2, Ps. Mithanpura, Dist. Muzaffarpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application
for grant of regular bail in a case registered for the
offences punishable under Sections 8(c), 20(b)(ii)(B) of
N.D.P.S. Act.

As per the allegation in F.I.R, 21.670 grams of
Brown Sugar (Smack) like narcotics substance has been
recovered from the rented house of Rakesh Kumar.

It is submitted by learned counsel for the
petitioner that the petitioner is innocent and he has



falsely been implicated in the present case. The petitioner has no concern with the alleged recovered contraband. There is no independent witness of the alleged seizure. The alleged recovered Smack like narcotics substance is lesser than commercial quantity as per N.D.P.S. Act. Moreover, the petitioner is languishing in judicial custody since 14.10.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail, **after framing of charge, if not framed**, in connection with Mithanpura P.S. Case No. 460 of 2023 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 Sessions Judge-cum-
Special Judge, N.D.P.S. Act, Muzaffarpur.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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