

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7303 of 2024**

Arising Out of PS. Case No.-261 Year-2023 Thana- JOGBANI District- Araria

Manish Kumar @ Manish Kumar Ram S/o Ramfal Ram R/o Vill - Khajurbari,  
Ward No. 10, P.S. - Jogbani, Dist. - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Mrigendra Kumar

For the Opposite Party/s : Mr. Nand Kishore Prasad

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      17-02-2024                      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 17, 18 and 22 of the NDPS Act.

3. Prosecution case relates to recovery of 10 grams of brown sugar from the possession of this petitioner.

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 recovered brown sugar like intoxicating substance does not come within the purview of commercial quantity as per NDPS Act. It is further submitted from para-7 of this petition that he has no concern either with the seized brown sugar or with the seized motorcycle. A



statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 22.10.2203.

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 the petitioner on bail. The above named petitioner is directed to be released on bail **after framing of charge if the charge is not framed** in connection with Jogbani P.S. Case No. 261 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 Sessions Judge-cum-Special Judge, NDPS Act, Araria.

(Sunil Kumar Panwar, J)

Shubham/-

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