

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.15018 of 2024**

Arising Out of PS. Case No.-86 Year-2023 Thana- MITHANPURA District- Muzaffarpur

Kunal Bhura @ Kunal @ Bhura Son Of Sujit Ram Resident Of Village -  
Chak Basu, P.S. - Mithanpura, District - Muzaffarpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Yugal Kishore, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**

ORAL ORDER

2      13-03-2024                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner seeks bail in connection with  
Mithanpura P.S. Case No. 86 of 2023 dated 01.03.2023,  
instituted for the offence punishable under Sections 8(c), 21(b)  
of NDPS Act.

3. The allegation is of recovery of 13 gm smack like  
substance from the possession of the petitioner.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and he has been falsely implicated in this  
case. It is further submitted that the seizure list has not been  
prepared before any Magistrate and, as such, the police has  
violated Section 50 of NDPS Act. It is further stated that there is  
no independent witness to the seizure. Learned counsel further



submitted that small quantity of smack is 5 gm and commercial quantity of smack is 250 gm and the recovered smack like substance is much less than the commercial quantity. Lastly, it has been submitted that the petitioner is in custody since 02.03.2023 having no criminal antecedents and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 1<sup>st</sup> Addl. Sessions Judge, Muzaffarpur in connection with Mithanpura P.S. Case No. 86 of 2023.

**(Khatim Reza, J)**

Sankalp/-

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