

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21343 of 2024

Arising Out of PS. Case No.-1261 Year-2023 Thana- DANAPUR District- Patna

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Banti Kumar, aged about 21 years, Gender-Male, S/o Lal Bihari Rai, R/o Mohalla - Nashriganj, Biscuit Factory, Ward No. 33, P.O. and P.S. - Danapur, Distt. - Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Asfar Imam, Advocate

For the Opposite Party : Mr. Chandra Bhushan Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 08-05-2024 This matter has been listed under the heading 'For Orders (on office notes)'.

2. Heard learned counsel for the petitioner and learned A.P.P. for the State.

3. The petitioner seeks bail in connection with Danapur P.S. Case No. 1261 of 2023 dated 21.09.2023 registered for the offence punishable under Section 21B of the N.D.P.S. Act.

4. As per the prosecution case, total 15 Gram Brown Sugar is said to have been recovered from the possession of the petitioner.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. It is submitted that from perusal of the F.I.R., it appears that so many people gathered there when raid was going on and the petitioner was only standing and watching the said raid. It is submitted that there is no compliance of Section 50 of the N.D.P.S. Act. The seized contraband is less than commercial quantity. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 21.09.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-X, Patna in connection with Danapur P.S. Case No. 1261 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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