

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22040 of 2024

Arising Out of PS. Case No.-968 Year-2023 Thana- BHABHUA District- Kaimur (Bhabua)

LAL BAHADUR SAH S/O- LATE SANTU SAH R/O- VILLAGE-
KUDASAN, P.S.- BHABUA, DIST.- KAIMUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR, PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 08-05-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in Bhabua P.S. Case no.
968 of 2023, instituted for the offences punishable under
Section 8(c) and 21(a) of the NDPS Act.

3. The prosecution case, in short, is that, 1.90 gms
heroin (smack) was recovered from the possession of the
petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case due to village politics. The recovered contraband is
below the small quantity. There is no compliance of Sections 42
and 50 of the N.D.P.S. Act. The petitioner is in custody since



27.10.2023 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the recovered contraband being below the small quantity and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bhabua P.S. Case No. 968 of 2023.

(Rudra Prakash Mishra, J)

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