

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23671 of 2024

Arising Out of PS. Case No.-1036 Year-2023 Thana- PURNEA SADAR District- Purnia

MANISH KUMAR S/O AWDHESH KUMAR MEHTA R/O JAGNI, P.S- K-
NAGAR (CHAMPA NAGAR), DISTT.- PURNEA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal, Adv.
For the Opposite Party/s : Mr.Shailendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 07-10-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. In this case, the petitioner is seeking regular bail in connection with Purnea Sadar P.S. Case No. 1036 of 2023, Special NDPS Case No. 23 of 2024, registered for the offences punishable under Sections 8(c), 21(b) of NDPS Act.

3. As per allegation, 50.5 gm of smack (brown sugar) was recovered from conscious possession of the petitioner.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He has submitted further that the petitioner was not given option to be searched before Gazetted Officer or the Magistrate, as such, the requirement of Section 50 of the NDPS Act was not



complied with.

5. On the other hand, the learned APP for the State Sri Shailendra Kumar has opposed the prayer for bail and submitted that the petitioner is also involved in other case of similar nature and he has two criminal antecedents.

6. Considering the above-mentioned facts and circumstances as well as criminal antecedents of the petitioner, I am not inclined to grant bail to him. Accordingly, the application stands rejected.

(Nawneet Kumar Pandey, J)

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