

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34399 of 2024

Arising Out of PS. Case No.-45 Year-2024 Thana- JOGBANI District- Araria

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Santosh Nayak @ Santosh son of Mahesh Nayak Resident of Village-
Tikuliya Basti, Ward No.-04, P.S.- Jogbani, Dist.- Araria

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh

For the Opposite Party/s : Mr.Rina Sinha

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 15-05-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Jogbani P.S. Case No. 45 of 2024 dated 25.02.2024 registered for the offences punishable under sections 21, 22 of the Narcotics Drugs & Psychotropic Substance Act.

3. As per the prosecution case, the petitioner and co-accused persons are alleged to have carried Phenergan injections 270 each 2 ml. total 540 ml. was recovered from Md. Jalil, from Md. Jubrail, Avil injections 210 each containing 2 ml. 410 ml. from Santosh Nayak @ Santosh (petitioner) Diazepam 161 injection each 2 ml. total 322 ml. and from Zarina khatoon Lupigesic injections 154 each 2 ml. i.e. 308 ml. were recovered.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. As per F.I.R., total 161x2 ml-322 ml of Whereas per N.D.P.S. Act mentioned at serial no. 194 small quantity is 500 gram which is less than commercial quantity. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 25.02.2024.

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

6. 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 Court concerned, Araria in connection with Jogbani P.S. Case No. 45 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Ranjeet/-

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