

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39590 of 2024

Arising Out of PS. Case No.-188 Year-2024 Thana- PHULWARISHARIF District- Patna

Dipu Kumar son of Akhilesh Ram R/o- Janipur chamar toli, P.S- Janipur,
Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ganesh Prasad Yadav
For the Opposite Party/s : Mr.Nawal Kishore Prasad

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

ORAL ORDER

4 25-10-2024 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 Special Case No. 71 of 2024 arising out of Phulwari Sharif P.S. Case No. 188 of 2024 dated 05.02.2024 registered for the offence/s punishable u/ss 8 (c), 21(a) of the NDPS Act.

3. As per the prosecution case, total 0.32 grams of smack (heroin) was recovered from the possession of the petitioner and the co-accused persons.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The seized contraband is of small quantity. The



petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 06.02.2024. Similarly situated co-accused has already been granted regular bail by this court vide order dated 15.07.2024 passed in Cr. Misc No. 40025 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner who had no valid authorization for keeping the said contraband.

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, Patna in connection with Special Case No. 71 of 2024 arising out of Phulwari Sharif P.S. Case No. 188 of 2024

7. The application stands allowed.

(Chandra Prakash Singh, J)

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