

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40315 of 2024

Arising Out of PS. Case No.-4 Year-2024 Thana- JIYAPOKHAR District- Kishanganj

Sajjad S/o shafik Alam R/o village-Nawa Basti Mirbhitta, P.S.-Pawakhali,
District-kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Advocate Mr. Ram Prawesh Kumar, Advocate
For the Opposite Party/s	:	Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 26-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Jiyapokhar P.S. Case No. 04 of 2024 dated 09.03.2024,
instituted for the offence punishable under Sections 8(C), 21(b)
of the N.D.P.S. Act.

3. The allegation is of recovery of 13.41 grams of
Brown Sugar and 1.04 gram of M.D.A. from the possession of
the petitioner. Petitioner was arrested at the spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is further submitted that alleged recovery of brown sugar
from the petitioner is more than small quantity and less than



commercial quantity. Learned counsel further submitted that there is violation of Section 42 and 50 of the N.D.P.S. Act and no cogent evidence is found against the petitioner. Lastly, it has been submitted that the petitioner is in custody since 10.03.2024, he has no criminal antecedents and charge-sheet has been submitted in the case without the F.S.L report.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, -Cum-Special Judge (N.D.P.S.) Act, Kishanganj in Jiyapokhar P.S. Case No. 04 of 2024.

(Khatim Reza, J)

Sankalp/-

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