

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45278 of 2024

Arising Out of PS. Case No.-1759 Year-2023 Thana- AHIYAPUR District- Muzaffarpur

SUNIL KUMAR RAM S/O RUPAK RAM @ RUPAN RAM R/O VILLAGE-
FATHPUR, P.S- AHIYAPUR, DIST.- MUZAFFARPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar
For the Opposite Party/s : Mr. Tapeswar Sharma

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 15-07-2024 Heard learned counsel appearing on behalf
of the parties.

2. The petitioner seeks bail in connection with
NDPS Case No.20 of 2024 arising out Ahiyapur P.S. Case
No.1759 of 2023 registered for the offence under Sections 8,
21(b), 25 and 29 of the NDPS Act.

3. As per FIR, there is recovery of total 2 grams
smack from the possession of the petitioner.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner has falsely been
implicated in the present case. It is submitted that the recovered
quantity of smack is less than commercial quantity. It is
submitted that similarly situated co-accused persons have



already been granted bail by this Court through Cr. Misc. No.21498 of 2024 on 03.05.2024 and Cr. Misc. No.25202 of 2024 on 09.04.2024. It is further submitted that petitioner is in custody since 27.12.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances and submissions made on behalf of the petitioner, let the petitioner, above named, is directed to be released on bail, ***after framing of the charge***, in connection with NDPS Case No.20 of 2024 arising out Ahiyapur P.S. Case No.1759 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Exclusive Special Court-I, Muzaffarpur.

7. The trial court is directed to conclude the proceeding of framing of charge according to law within a period of 15 (fifteen) days from the date of receipt of a copy of this order. However, it is made clear that ***if the charge-sheet has not been submitted*** then the above named petitioner shall be released on bail on furnishing bail bond with further condition that the petitioner have to present physically on each and every date before the Trial Court till conclusion of the proceeding of



framing of charge.

(Ramesh Chand Malviya, J)

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