

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46519 of 2024

Arising Out of PS. Case No.-101 Year-2023 Thana- BUDDHACOLONY District- Patna

Dilip Kumar @ Dipu S/o Dinesh Saw R/o Mohalla - Lodipur Bidyapati Marg
China Kothi, P.s. - Budha Colony, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar Singh

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 8(C), 21(b) of the N.D.P.S. Act.

3. it is a case of recovery of 50 grams of Brown Sugar (along with weight of paper in which it was wrapped) like narcotics substance and one mobile from the possession of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner has no concern with the alleged recovered contraband. The recovered brown sugar was lesser than commercial quantity as per



N.D.P.S. Act. It is further submitted the provision of N.D.P.S. Act has not been followed by the prosecution. It is further submitted that charge has been framed in this case. Moreover, the petitioner is languishing in judicial custody since 13.2.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail **after framing of charge, if not framed** in connection with Buddha Colony P.S. Case No. 101 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court (NDPS). Court No. II, Patna.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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