

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51860 of 2024

Arising Out of PS. Case No.-88 Year-2024 Thana- JOGBANI District- Araria

Ashraf Ali @ Md. Ashraf Ali Son of Shekh Dukhan RESIDENT OF
VILLAGE- CHAKORWA SONAPUR, WARD NO- 07, P.S.- NARPATGANJ
DISTT.- ARARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kishore Bharti
For the Opposite Party/s : Mr.Shyam Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 30-07-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks regular bail in Jogbani P.S. Case
No. 88 of 2024 registered for the offence punishable under Sections-
363, 366(A)/34 of the Indian Penal Code and Section-8(c), 21(b),22
of the NDPS Act.

3. It is alleged that on the tip off, the informant reached at
the place of occurrence and saw two persons coming on a motorcycle
carrying and when the informant asked to stop, they tried to
accelerate the motorcycle but on chase, both the persons including
the petitioner were apprehended. On search, 6 gms smack with
polythene, one mobile set was recovered from possession of the
petitioner.

4. Learned counsel for the petitioner has submitted that



the petitioner is innocent and has committed no offence. The petitioner has falsely been implicated in this case merely on suspicion. Nothing has been recovered from possession of the petitioner. It has further been submitted that the weight of recovered smack with polythene is 6 grams which is small quantity of five grams. The petitioner is in custody since 29-04-2024.

5. Learned APP has opposed the prayer for bail.

6. Considering the aforesaid facts and circumstances and also the fact that the recovered smack is about slight more than small quantity and he is in custody for three months, the petitioner named above, is directed **to furnish bail bond in the court below after six months from today** and on doing so, the petitioner shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, NDPS Act, Araria in connection with Jogbani P.S. Case No. 88 of 2024 with condition that the petitioner shall cooperate with the trial of the case and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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