

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.53405 of 2024**

Arising Out of PS. Case No.-17 Year-2024 Thana- Marnga District- Purnia

Uttam Das S/o Late Chhetra Mohan Das R/o vill - Satsang Vihar, ward no. 9,  
P.S. - Maranga, Distt. - Purnea

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Manish Kumar

For the Opposite Party/s : Mr.Amitesh Kumar

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

ORAL ORDER

3      20-08-2024                      Heard learned counsel for the petitioner and  
  
learned A.P.P for the State.

2. Learned counsel for the petitioner is permitted to  
file supplementary affidavit in course of the day and the same  
is kept on record.

3. The petitioner has preferred this application for  
grant of regular bail in connection with Maranga P.S. Case  
No. 17 of 2024 dated 18.03.2024 registered for the offences  
punishable u/ss 8(C), 21(b) of the NDPS Act.

4. As per the prosecution case, total 21 grams brown  
sugar (Smack) was recovered from the possession of the  
petitioner.



5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The seized contraband is less than commercial quantity. The petitioner has one criminal antecedent as stated in para 3 of the supplementary affidavit. The petitioner is in custody since 18.03.2024.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner who had no valid authorization of keeping the said contraband. Learned APP for the State also placed reliance on the judgment in the case of ***Hira Singh and Anr. Vs. Union of India and Anr, (2020)20 Supreme Court Cases 272*** of Hon'ble Apex Court has held in para 8.3 that "Brown sugar/smack is usually made available in power form. The substance is only about 20 per cent heroin. The heroin is mixed with other substances like chalk powder, zinc oxide, because of these impurities in the drug, brown sugar is cheaper but more dangerous."

7. 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, Purnea in connection with Maranga P.S.  
Case No. 17 of 2024.

8. The application stands allowed.

(Chandra Prakash Singh, J)

guddukr/-

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