

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57360 of 2023

Arising Out of PS. Case No.-200 Year-2023 Thana- DAGARUA District- Purnia

Md. Shahabuddin Son Of Mohammad Israil @ Md. Israil Resident At
Eakhua, Ward No. 9, Barsouni, P.S. - Dagaru, Distt. - Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal

For the Opposite Party/s : Mr.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 05-01-2024 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) and 21(b) of the NDPS Act.

3. Prosecution case relates to recovery of total 190 grams of smack like intoxicating substance 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. From perusal of the two FSL Reports, it is apparent that no any heroin has been detected and the report is negative. The recovered smack like intoxicating substance does not come within the purview of



commercial quantity as per NDPS Act. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 17.06.2023.

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 in connection with Dagarua P.S. Case No. 200 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 Sessions Judge cum Special (NDPS Act) Judge, Purnea.

(Sunil Kumar Panwar, J)

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