

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67918 of 2024

Arising Out of PS. Case No.-26 Year-2024 Thana- PUWAKHALI District- Kishanganj

Md. Abid Hussain @ Abid Hussain Son of Md. Safiruddin Resident of Village
- Maligaon, P.S.- Goalpokhar, Dist.- Uttar Dinajpur, West Bengal

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar

For the Opposite Party/s : Mr.Bharat Lal

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

2 03-10-2024 Heard the learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks regular bail in the present case registered for the offence under Sections 8(C) , 21(b), 22(b) of the NDPS Act.

3. As per the prosecution case, 112 grams of brown sugar has been recovered from the petitioner and 112 grams of brown sugar has been recovered from the co-accused.

4. Learned counsel for the petitioner submits that petitioner is innocent and has not committed any offence. Petitioner is in custody since 07.06.2024. He further submits that the brown sugar recovered from two persons i.e. 224 gram is of less than commercial quantity. Petitioner claims clean antecedent.



5. Learned A.P.P. has vehemently opposed the prayer for bail.

6. Considering the recovery of intermediate quantity, this application for regular bail is allowed.

7. Let the petitioner, above named, 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 the learned Sessions Judge-cum-Special Judge (NDPS Act), Kishanganj /concerned Court below in connection with Powakhali P.S. Case No. 26 of 2024 subject to condition that:-

(i). The petitioner will mark his attendance at the Goal Pokhar Police Station, Uttar Dinajpur, West Bengal on the first Sunday of each month. Any default in appearance at the Police Station would result in cancellation of bail bond of the petitioner.

(ii). Before accepting the bail-bond of the petitioner, the court below will verify the antecedent of the petitioner from the residential police station. If the petitioner is found having clean antecedent, the bail-bond of the petitioner shall be accepted. If the petitioner is found having criminal antecedent(s), his bail-bond shall not be accepted by the court below.

8. This application stands allowed.



9. Let a copy of this order be communicated to the Superintendent of Police, Uttar Dinajpur, West Bengal through FAX for its compliance forthwith.

(Sandeep Kumar, J)

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