

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73294 of 2023

Arising Out of PS. Case No.-739 Year-2023 Thana- CHAPRA MUFFASIL District- Saran

Munna Kumar Sah Son Of Arjun Sah Resident Of Village Sandha Near
Dudhiya Pool Ps Chapra Muffasil District Saran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priyanka Singh

For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 09-02-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 8(c), 21(b) of the
N.D.P.S. Act.

3. As per prosecution case, there has been recovery of
4.625 Gm *Smack* like substance from the possession of the
petitioner.

4. It is submitted by learned counsel for the petitioner
that petitioner is innocent and has been falsely implicated in this
case. He has committed no offence. He has no concern with the
seized *Smack*. The seized *Smack* like substance does not come
within the purview of commercial quantity as per N.D.P.S. Act.
The other co-accused namely, Suraj Kumar Ram has already



been granted bail by this Bench vide order dated 02.01.2024 passed in Cr. Misc. No. 82882 of 2023. The petitioner has got no criminal antecedent and he is languishing in judicial custody since 18.09.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail **after framing of charge, if not framed**. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge, Saran at Chapra in connection with Chapra Muffasil P.S. Case No. 739 of 2023.

(Sunil Kumar Panwar, J)

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