

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.76720 of 2023**

Arising Out of PS. Case No.-13 Year-2023 Thana- KORHA District- Katihar

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Dinesh Singh @ Dinesh Prasad Singh S/O Late Ambika Prasad Singh Village-  
Gerabari, Ps. Korha, Dist. Katihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Rudrank Shivam Singh

For the Opposite Party/s : Mr.Anita Kumari

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      27-02-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner has prayed for regular bail in a case  
registered for the offence punishable under sections 20 and 22  
of the NDPS Act.

3. Prosecution case relates to recovery of 286 grams  
of smack like intoxicating substance from one black coloured  
Creta car bearing Reg. No. BR-11AV-9127.

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. He has no concern with the  
seized smack like substance and also the same has not been  
recovered from the conscious possession of the petitioner. From  
perusal of the seizure list, the recovery of seized smack has been



made from the possession of co-accused, Raj Kamal Mehta. The provision of Section 50 of the N.D.P.S. Act has not been followed in this case. Similarly situated other co-accused person has already been granted bail by this Court vide order dated 20.09.2023 in Cr. Misc. No. 42723 of 2023. 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 08.01.2023.

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 **after framing of charge if the charge is not framed** in connection with Korha P.S. Case No. 13 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 Judge NDPS Act, Katihar.

(Sunil Kumar Panwar, J)

Shubham/-

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