

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77446 of 2023

Arising Out of PS. Case No.-119 Year-2023 Thana- PAHARKATTA District- Kishanganj

Md. Shahid Iqbal @ Parvana @ Md. Shahid Iqbal Ansari Son Of Late
Safique Ansari Resident Of Village - Shangan Chhattergachh Bazar, P.S.-
Paharkatta, District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar
For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 10-01-2024 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 section 414 of the
Indian Penal Code and Section 21(a) of the NDPS Act.

3. Prosecution case relates to recovery of 2 gram
smack along with ten mobile phones from 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. The petitioner has no
concern with the alleged seized material and the recovery of
smack is 2 gram which is lesser than small quantity as per the



NDPS Act. It is further submitted that the petitioner is languishing in judicial custody since 17.8.2023.

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 period of the petitioner, this court is inclined to enlarge him on bail. The above named petitioner is directed to be released on bail **after framing of charge, if not framed**, in connection with Paharkatta P.S. Case No. 119 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), Kishanganj.

(Sunil Kumar Panwar, J)

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