

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81891 of 2024

Arising Out of PS. Case No.-650 Year-2024 Thana- DANAPUR District- Patna

Sonu Kumar Son of Sri Biru Pandit Resident of Village- Lal Kothi, Ward No. 04, P.S.- Danapur, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 04-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Danapur P.S. Case No. 650 of 2024, registered on 22.07.2024 for the alleged offences under Sections 8(c), 21(a) of NDPS Act.

3. As per prosecution case, the petitioner was apprehended by the police on secret information and from his possession 25 sachets containing 11.75 gms smack was recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Though recovery of 11.75 gms smack in 25 sachets has



been shown but the actual quantity of smack is 3.25 gms which comes under small quantity as notified under NDPS Act. The petitioner is having antecedent of one case of similar nature and he is on bail in the said case. The petitioner is in custody since 23.07.2024 and charge sheet has been submitted.

5. Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that the petitioner was caught red handed with smack and he is having antecedent of one case of similar nature.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the small quantity of the contraband and further considering the period of custody of the petitioner and submission of charge sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds 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, Patna/concerned Court in connection with Danapur P.S. Case No. 650 of 2024, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:

(i) One of the bailors will be a close



relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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