

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.78725 of 2023**

Arising Out of PS. Case No.-512 Year-2023 Thana- KRITYANAND NAGAR District-  
Purnia

Md. Raja @ Khanna Son Of Junaf Resident Of Village- Champanagar, Ward  
No. 11, Ps- K. Nagar (Champanagar), Dist- Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                                                                    |
|----------------------|---|--------------------------------------------------------------------|
| For the Petitioner/s | : | Mr. N.K. Agrawal, Sr. Adv. alongwith<br>Mr. Dr. Bidhu Ranjan, Adv. |
| For the State        | : | Mr. Rajendra Nath Jha, APP                                         |

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

4      29-02-2024                      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) and 25 of  
the N.D.P.S. Act.

3. As per prosecution case, there has been recovery of  
102 gm of Brown Sugar from the possession of the petitioner.

4. It is submitted by learned counsel for the petitioner  
that petitioner has been falsely implicated in this case. He has  
committed no offence. He submitted that the petitioner has no  
concern with the seized Brown Sugar. He submitted that seized  
Brown Sugar like substance does not come within the purview  
of commercial quantity as per N.D.P.S. Act. The provision of



Section 42 and Section 50 of the N.D.P.S. Act has not been followed in this case. He further submitted that petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 05.09.2023.

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, 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 Special Judge, N.D.P.S. Act in connection with Krityanand Nagar P.S. Case No. 512 of 2023.

(Sunil Kumar Panwar, J)

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