

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79734 of 2023

Arising Out of PS. Case No.-893 Year-2023 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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DINA PASWAN @ DINA NATH PASWAN SON OF LATE SARYUG
PASWAN R/O MOHALLA- KHOBRA ROAD, NEAR UNIVERSITY, P.S.
KAJIMOHAMMADPUR DISTT.- MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kumari Sujata Sinha
For the Opposite Party/s : Mr.Ganesh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 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
registered for the offence punishable under sections 21(b) of the
N.D.P.S. Act.

3. The petitioner is alleged to have been apprehended
with a vehicle Bearing Reg No. BR06ER-5173 from where, 15
gram smack like substance was recovered.

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 recovery of smack like narcotic
substance and the same is alleged to be 15 which does not come



under purview of commercial quantity as per N.D.P.S. Act. It is further submitted the provision of N.D.P.S. Act has not been followed by the prosecution. Moreover, he is languishing in judicial custody since 10.9.2023.

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 not framed** in connection with Sadar P.S. Case No. 893 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, Muzaffarpur.

(Sunil Kumar Panwar, J)

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