

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82154 of 2023

Arising Out of PS. Case No.-213 Year-2023 Thana- BRAHMPURA District- Muzaffarpur

Dipesh Kumar Son of Sitaram Prasad @ Sachitanand Prasad Resident Of
Village- Tonwa, P.S.- Jhawkhari, District- Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 09-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Brahampura P.S. Case No. 213 of 2023, registered for the
offences punishable under Sections 402, 399, 414 of the Indian
Penal Code and 8(c), 21(b) of the NDPS Act.

3. As per the prosecution case, 5.2 grams smack was
recovered from the possession of the petitioner.

4. Learned counsel for the petitioner submits that
there is recovery of 5.2 grams of smack from the possession of
petitioner as alleged in the F.I.R. which is close to the small
quantity. He also submits that the petitioner is a young boy of
aged about 19 years. It is also submitted that there is no
compliance of mandatory provision of Section 50 of the NDPS



Act in this case. Petitioner has no criminal antecedent and is in jail custody since 18.09.2023.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case and submission of learned counsel for the parties, and period of custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, NDPS Act, Muzaffarpur in connection with Brahampura P.S. Case No. 213 of 2023.

(Sunil Dutta Mishra, J)

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