

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83392 of 2023

Arising Out of PS. Case No.-361 Year-2023 Thana- KORHA District- Katihar

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Raunak Kumar @ Raja S/O Mahabir Prasad Bishwas, Resident of Anand Nagar, Abdula Nagar, Khushkibagh, Ward No. 42, PS- Sadar, Dist. Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Advocate

For the Opposite Party/s : Mr. Nirmala Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 18-01-2024 Heard learned counsel for the petitioner and the learned APP for the State.

2. The petitioner seeks regular bail in connection with Korha PS Case No. 361 of 2023 dated 18.09.2023 in NDPS Case No. 48 of 2023, for the offence registered under Sections 8(c), 21(b) and 22 of the NDPS Act.

3. As per the prosecution case, 100 grams of smack has been recovered from the possession of the co-accused Rikki Singh @ Dipanshu Kumar @ Dipanshu Kr., who was sitting with the petitioner in the recovered car.

4. Learned counsel for the petitioner submits that the petitioner is quite innocent and has falsely been implicated in the present case. The recovered smack comes under the category

of below commercial quantity as per the NDPS Act. He further submits that petitioner has no criminal antecedents and he is in judicial custody since 19.09.2023. He lastly submits that a similarly situated co-accused person namely, Rikki Singh @ Dipanshu Kumar @ Dipanshu Kr. has been granted regular bail by a co-ordinate Bench of this Court vide order dated 08.01.2024 in Cr. Misc. No. 84517 of 2023.

5. Learned counsel appearing on behalf of the State opposes the prayer for grant of bail to the petitioner.

6. Considering the submissions on behalf of the parties and the facts and circumstances of the case, let the petitioner, named-above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special (NDPS Act) Judge, Katihar in **Korha PS Case No. 361 of 2023.**

(Sunil Dutta Mishra, J)

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