

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84732 of 2023

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

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Dipak Kumar, Son Of Shyam Sunder Bhagat @ Shyam Sundar Gupta, R/O
Village- Champanagar, Ward No. 12, P.S.- K. Nagar (CHAMPANAGAR
O.P.), District- Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal, Sr. Advocate
		Mr. Dr. Bidhu Ranjan, Advocate
		Mr. Diksha Kumari, Advocate
For the Opposite Party/s :		Mr. Rajendra Nath Jha, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 22-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
K.Nagar P.S. Case No. 512 of 2023 for the offence registered
under Sections 8 (C), 21 (b) and 25 of N.D.P.S. Act.

3. As per the prosecution case, there is recovery of
102 gm of Brown Sugar (Smack) from possession of co-accused
Md. Raja @ Khanna and there is recovery of 9.65 gm Brown
Sugar (Smack) from possession of the petitioner.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. Petitioner has no concern with the co-accused. There is no



compliance of the mandatory provision of the N.D.P.S. Act during the seizure. Total recovery of the Smack comes between small and commercial quantity. Petitioner has no criminal antecedent. Petitioner is in jail custody since 05.09.2023.

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) with two sureties of the like amount each to the satisfaction of learned concerned court below in K. Nagar P.S. Case No. 512 of 2023.

(Sunil Dutta Mishra, J)

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