

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83084 of 2023

Arising Out of PS. Case No.-252 Year-2023 Thana- KUCHAIKOTE District- Gopalganj

Manish Gupta Son Of Pattu Sah @ Pattu Gupta R/O Village- Jalalpur, P.S.-
Kuchaikote, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra

For the Opposite Party/s : Mr. Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 8(C), 21(b) of the Narcotic Drugs and Psychotropic Substances Act, 1985.

3. As per allegation in the FIR, on getting secret information police party proceeded towards place of occurrence, and apprehended co-accused Shivam pandey and on search, 30 sachet of Smack (15 grams) were recovered from his pant pocket. He disclosed that he has purchased it from co-accused Sujit Kumar and was going to deliver to the present petitioner.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this Case. Neither he



was apprehended on spot nor anything recovered from his conscious possession. There is complete violation of provision of Section 50 of the NDPS Act. The recovered article, from possession of co-accused Shivam Pandey, comes below the commercial quantity. Petitioner has got no criminal antecedent and languishing in judicial custody since 18.09.2023.

Learned APP appearing for the State has opposed the prayer of Bail.

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. 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 Court of Sessions Judge, Gopalganj in connection with Kuchaikote P.S. Case No. 252 of 2023.

(Sunil Kumar Panwar, J)

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