

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84517 of 2023

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

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Rikki Singh @ Dipanshu Kumar @ Dipanshu Kr Son Of Late Shivshankar
Singh Resident Of Village- Mebalal Chowk, Basant Bihar, Lalganj, Ward No.
01, Ps- Maranga, Distt- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Singh

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-01-2024 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 8(c) and
21(b) and 22 of the NDPS Act.

3. Prosecution case relates to recovery of total 100
grams of smack like intoxicating substance from the possession
of the petitioner and from the possession of co-accused, one Car
has been 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. He has no concern either
with the seized contraband or with the seized car. The recovered



smack does not come within the purview of commercial quantity as per NDPS Act. The provision of NDPS Act has not been followed in this case while preparing seizure list. Moreover, he is languishing in judicial custody since 19.09.2023.

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 the charge is not framed** in connection with Korha P.S. Case No. 361 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, Katihar.

(Sunil Kumar Panwar, J)

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