

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85834 of 2024

Arising Out of PS. Case No.-222 Year-2024 Thana- MOHANIYA District- Kaimur (Bhabua)

Sushil Kumar S/o- Radhe Shyam Ram Village- Rasulpur Karmahri Ward NO-1 PS- Mohania District- Kaimur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

7 11-12-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with NDPS Case Reg. No. 42 of 2023 arising out of Mohania P.S. Case No. 222 of 2024 dated 13.04.2024 registered for the offences punishable u/ss 8(c) and 21(a) of N.D.P.S. Act.

3. As per the prosecution case, three pieces of Buprenorphine Injection Dolphine each of 2 ml i.e. total 6 ml was recovered from the possession of the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Learned counsel has further submitted that the seized contraband is of small quantity i.e. 6 ml which comes under the



purview of the N.D.P.S. Act. It is further submitted that as per entry 169 of the list of the N.D.P.S. Act, the small quantity of Buprenorphine is 1 gm. and the commercial quantity is 20 gms. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 14.04.2024. Similarly situated co-accused has already been granted regular bail by this court vide order dated 28.08.2024 passed in Cr. Misc No. 49249 of 2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Kaimur at Bhabhua in connection with NDPS Case Reg. No. 42 of 2023 arising out of Mohania P.S. Case No. 222 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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