

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.463 of 2024

Arising Out of PS. Case No.-869 Year-2023 Thana- FORBESGANJ District- Araria

Suman Kumar Son of Upendra Mandal R/o vill - Manikpur, ward no. 09, P.s. -
Forbesganj (Simraha), Distt. - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Ravish

For the Opposite Party/s : Mr.Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Section 21(b) of the N.D.P.S.
Act.

3. As per prosecution case, there has been recovery of
40.5 gm *smack* like substance from the possession of co-accused
Awan Kumar and one mobile phone from the possession of
petitioner.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner has been apprehended on spot.
He submitted that the petitioner has no concern with the seized
Smack. No incriminating article has been recovered from the



conscious possession of the petitioner. He further submitted that the as alleged seized mobile belongs to the petitioner himself. Moreover, petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 15.09.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail **after framing of charge, if not framed**. 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 Sessions-cum-Special Judge, NDPS Act, Araria/concerned Court in connection with Forbesganj P.S. Case No. 869 of 2023.

(Sunil Kumar Panwar, J)

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