

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86033 of 2023

Arising Out of PS. Case No.-196 Year-2023 Thana- JANKINAGAR District- Purnia

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Arun Kumar Yadav@Arun Kumar son of Shiv Narayan Yadav@Shiv Narayan
Roy VILLAGE LADUGARH WAR NO 08 PS JANKI NAGAR DISTRICT
PURNEA

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijendra Kumar Singh

For the Opposite Party/s : Mr.Rabindra Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 09-02-2024 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) of the N.D.P.S. Act.

3. It is a case of recovery of 9 grams smack like
substance from the Cofee shop of the petitioner.

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. Nothing incriminating
article has been recovered from the conscious possession of the
petitioner. Petitioner has no concern with the alleged recovery
and recovered smack like substance does not come within the



purview of commercial quantity. Provision of Section 100 Cr.P.C. has not been followed by the police personnel while preparing the seizure list. Section 50 (A) of the N.D.P.S. Act has not been complied in this case. It is further submitted that the petitioner has got no criminal antecedent and he is languishing in judicial custody since 26.09.2023.

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 period of custody of the petitioner, this court is inclined to enlarge the petitioner on bail **after framing of charge**. The above named petitioner is directed to be released on bail in connection with Janki Nagar P.S. Case No. 196 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 Special Judge, N.D.P.S. Act, Purnea.

(Sunil Kumar Panwar, J)

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