

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3679 of 2024

Arising Out of PS. Case No.-896 Year-2023 Thana- PURNEA SADAR District- Purnia

Md Moim son of Md. Vajir, resident of Village-Ziromile, Kabristan Tola,
Ward No. 36, P.S.-Sadar, District-Purnia.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Jha

For the Opposite Party/s : Mr.Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 21-03-2024 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 Sections 8(c), 21(b) of the
N.D.P.S. Act.

3. As per prosecution case, there has been recovery of
100.60 gm of *smack* (*Brown Sugar*) from the house of the
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. He submitted that the petitioner has no
concern with the seized *Smack*. He submitted that seized *Smack*
like substance does not come within the purview of commercial
quantity as per N.D.P.S. Act. He further submitted that petitioner



has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 27.10.2023.

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 Special Judge, N.D.P.S. Act, Purnia in connection with Purnea Sadar P.S. Case No. 896 of 2023.

(Sunil Kumar Panwar, J)

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