

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.123 of 2024**

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

Awan Kumar Son fo Parmeshwar Mandal @ Parmesvaree Mandal Resident of
Pachira, Ward No. 08, Police Station- Raniganj, District 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.Sunil Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

2 12-01-2024 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 section 21(b) of the
NDPS Act.

3. Prosecution case relates to recovery of total 40.50
grams of smack like narcotics substance from altogether four
accused persons including this 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. The recovered smack does
not come within the purview of commercial quantity as per
NDPS Act. A statement has been made in para-3 of this petition
that the petitioner has got no criminal antecedent. Moreover, he



is languishing in judicial custody since 15.09.2023.

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 Forbesganj (Simraha) P.S. Case No. 869 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 cum the Special Judge, NDPS Act, Araria.

(Sunil Kumar Panwar, J)

Shubham/-

U		T	
---	--	---	--

