

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78076 of 2024

Arising Out of PS. Case No.-35 Year-2024 Thana- SUKHANI District- Kishanganj

Md. Soyeb @ Md. Shoiab Alam @ Md. Soyeb Alam Son of Gulbahar @
Mohammad Gul Bahar Resident of Nikharbari, P.S. - Sukhani, District -
Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate

For the Opposite Party/s : Mr. B.N. Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 27-01-2025 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), 21(b), 22(b) of the NDPS Act.

3. The case of the prosecution is that from the possession of the petitioner, 13 grams of *Methyle Dioxymethamphetamine* (MD) was recovered. In this regard, S.P. was directed to file counter affidavit wherein it has been stated that out of that 13 grams, 6.5 grams was sent to FSL Kolkatta and the same amount was sent to FSL Bhagalpur for testing and report.

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. It is also submitted the small quantity of the contraband is 2 grams and commercial quantity is 50 grams and the recovered contraband is 13 grams which is much less than commercial quantity. It is further submitted that the petitioner is languishing in judicial custody since

5. Learned APP appearing for the state has opposed the prayer of regular bail and submits that the petitioner has got one criminal antecedent.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Sukhani P.S. Case No. 35 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Kishanganj.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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