

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9175 of 2021

Arising Out of PS. Case No.-323 Year-2020 Thana- ADAPUR District- East Champaran

SURESH BHARTI @ SURESH GIRI SON OF IKBAL GIRI R/O
VILLAGE- BHAGWANPUR BAZAR, P.S.- ADAPUR, DISTRICT- EAST
CHAMPARAN.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Radha Mohan Singh, Adv.

For the Opposite Party/s : Mr.Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 07-09-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceeding.

The petitioner seeks bail in connection with N.D.P.S.
Case No.48 of 2020 (arising out of Adapur P.S. Case No.323 of
2020), registered for the offence punishable under Sections 20
and 22 of the Narcotic Drugs and Psychotropic Substance
(N.D.P.S.) Act.

Allegation against the petitioner is that a packet of 3 kg of
Ganja was recovered from his possession.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has not committed any offence
as alleged in the FIR. He has been falsely implicated in this case
only to harass with ulterior motive. No incriminating article has



been recovered from the conscious physical possession of the petitioner. There is violation of mandatory provision of section 42 of the N.D.P.S. Act. The recovered quantity of Ganja is lesser than the commercial quantity but bigger than the small quantity. The petitioner has no criminal antecedent and has been languishing in custody since 30.9.2020.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of this case and the custody of more than eleven months, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge, East Champaran, Motihari, in connection with N.D.P.S. Case No.48 of 2020 (arising out of Adapur P.S. Case No.323 of 2020).

(Anjani Kumar Sharan, J)

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