

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3938 of 2023

Arising Out of PS. Case No.-91 Year-2022 Thana- SAHODARA District- West Champaran

UMESH BAITHA S/o Bira Baitha @ Bir Baitha R/o Village- Dhaminaha,
P.S.- Sathi, Distt- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 8/20 (b)(ii)(b), 8/20(b)
(ii)(c) of the N.D.P.S. Act.

As per prosecution case, on secret information
received that two persons are coming with *Ganja* from Nepal to
India. Police party reached at that place and, on search there has
been recovery of 5 Kg *Ganja*, which was kept in a bag and a
motorcycle from the petitioner.

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 *Ganja*. He submitted that seized *Ganja*



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 14.07.2022.

The application for bail is opposed by learned APP for the State.

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 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 Additional District and Sessions Judge-III, Bettiah, West Champaran in connection with Sahodara P.S. Case No. 91 of 2022.

(Sunil Kumar Panwar, J)

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