

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4150 of 2023

Arising Out of PS. Case No.-1214 Year-2022 Thana- FORBESGANJ District- Araria

DEVENDRA CHOUDHARY @ DEVARAM Son of Teja Ramji @ Teja Ram
Resident of village - Baitu, P.S.- Baitu, District - Barmer (Rajasthan).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana
For the Opposite Party/s : Mr.Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 21(b), 8, 17(c), 18(c) of the N.D.P.S. Act.

The prosecution case relates to recovery of total 7.130 kilo gram Doda powder/ narcotic substance from Dhaba of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case on the basis of suspicion. The petitioner has no concern with the alleged recovery of narcotic substance the same is alleged to be 7.130 kg which does not come under purview of commercial quantity as per



N.D.P.S. Act. Nothing incriminating article has been recovered from conscious or constructive possession of the petitioner. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 26.11.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

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 in connection with Forbesganj P.S. Case No. 1214 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Araria.

(Sunil Kumar Panwar, J)

Amandeep/-

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

