

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4214 of 2023

Arising Out of PS. Case No.-1199 Year-2022 Thana- KHAJANCHI HAT District- Purnia

AJAY SHARMA S/o Late Bhola Sharma R/o Village- Raj Nagar Dak
Bungalow Chowk, P.S.- K.Hat, Distt- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal

For the Opposite Party/s : Mr.Shailendra Kumar Singh

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 8(c), 21(b) of the N.D.P.S. Act.

The prosecution story, in brief, is that the police party reached at Koshi Colony after getting secret information then the accused persons including the petitioner tried to flee away but all of them were apprehended on spot. Upon search, 7 grams smack like substance was recovered from possession of co-accused Kunal Kumar Paswan.

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 further submitted that



the petitioner has no concern with the alleged recovery of smack like narcotic substance or with the place of occurrence. As per seizure list, the alleged recovery of narcotic material has been made from possession of co-accused namely, Kunal Kumar Paswan, hence, the provision of N.D.P.S. Act is not made out against this petitioner. Nothing incriminating article has been recovered from conscious possession of the petitioner. It is further submitted that the petitioner is languishing in judicial custody since 10.11.2022.

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 K. Hat P.S. Case No. 1199 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 Special Judge, N.D.P.S. Act, Purnea.

(Sunil Kumar Panwar, J)

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