

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4822 of 2023

Arising Out of PS. Case No.-668 Year-2022 Thana- BUXAR District- Buxar

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Shashi Kumar Yadav @ Shashi Yadav @ Shashi Kumar Son Of Late Mukhlal
Yadav Resident Of Village - Shanti Nagar (Ward No.- 33), P.S.- Buxar
(Town), District - Buxar.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shree Kant Pandey

For the Opposite Party/s : Mr.Tapeshwar Sharma

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for
grant of regular bail in a case registered for the offences
punishable under Sections 21, 22, 27 of N.D.P.S. Act.

The prosecution case relates to recovery of 4.38
grams of Heroine like narcotics substance and Rs. 4,000/-(Four
Thousand Rupees) from the possession of the petitioner. .

It is submitted by learned counsel for the petitioner
that the petitioner is innocent and he has falsely been implicated
in the present case. It is further submitted that the seizing
authority seized the alleged contraband without being sure that
alleged substance is Heroine or not and without the report of



F.S.L. creates doubt over the alleged seizure. The seized contraband heroine like substance is lesser than commercial quantity as per N.D.P.S. Act. Moreover, the petitioner is languishing in judicial custody since 06.12.2022.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Buxar (Town) P.S. Case No. 668 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned District Judge-cum-Special Court, N.D.P.S. Act, Buxar.

(Sunil Kumar Panwar, J)

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