

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4700 of 2023

Arising Out of PS. Case No.-378 Year-2022 Thana- GAYA RAIL P.S. District- Gaya

SHUBHAM KUMAR S/O MADAN SINGH Resident of Village-
Mohabatpur Billouch, P.S.- Nazibabad, District- Bijour (U.P.),

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Gulnar Begum

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 prayed for regular bail in a case
registered for the offence punishable under sections 8, 20(b)(ii)
(B) of the N.D.P.S. Act.

Allegation against the petitioner along with co-
accused that while they were traveling by train, the police party
reached there and arrested them. On search, 3.9 kilogram ganja
was recovered from the possession of this 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 ganja
and the same was recovered from possession of petitioner is



alleged to be 3.9 kg which does not come under purview of commercial quantity as per the N.D.P.S. Act. It is further submitted that the petitioner is languishing in judicial custody since 19.9.2022.

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 Gaya Rail P.S. Case No. 378 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-cum-Special Judge, N.D.P.S. Act, Gaya.

(Sunil Kumar Panwar, J)

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