

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8414 of 2023

Arising Out of PS. Case No.-505 Year-2022 Thana- MURLIGANJ District- Madhepura

Mitthu Kumar @ Mithu Kumar Son Of Late Sukhdeo Sah R/O Village-
Gangapur, Ward No.07, P.S.- Murliganj, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-04-2023 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 18, 20, 22 of the N.D.P.S. Act.

The prosecution story, in brief, is that while the police party were on duty of checking vehicles, arrested the accused persons including the petitioner. Upon search, from possession of the this petitioner, 550 gram ganja like narcotic substance was recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. A statement has been made in para-3 of the petition that the petitioner has got no criminal



antecedent. The petitioner has no concern with the seized motorcycle or alleged recovery of ganja like narcotic substance and the same was alleged to be 550 grams 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 5.12.2022.

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 Murliganj P.S. Case No. 505 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, Madhepura.

(Sunil Kumar Panwar, J)

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