

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11106 of 2023

Arising Out of PS. Case No.-276 Year-2022 Thana- ITARHI District- Buxar

Dhuran Chouhan Son Of Late Munna Chouhan R/O Vill.- Bhelupur, P.S.-
Itarhi, Distt.- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyapal Singh

For the Opposite Party/s : Mr.Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-05-2023 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 20(b)(ii) (B)/22(b)/29 of the N.D.P.S. Act.

As per FIR, prosecution case relates to recovery of 1.310 kg ganja like substance from bag and petitioner is said to be fled away from the place of occurrence after throwing the bag in which ganja like substance was kept.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner has no concern with the alleged recovery of ganja like narcotic substance and the same is alleged to be 1.310 kg which does no



come under purview of commercial quantity as per N.D.P.S. Act. It is further submitted the provision of N.D.P.S. Act has not been followed by the prosecution. 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 20.1.2023.

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, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Itarhi P.S. Case No. 276 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 District Judge-Cum-Special Court N.D.P.S. Act, Buxar.

(Sunil Kumar Panwar, J)

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