

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11320 of 2023

Arising Out of PS. Case No.-261 Year-2022 Thana- BHAGWANPUR District- Kaimur
(Bhabua)

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Neeraj Shukla @ Ayush Shukla Son Of Sri Chand Narayan Shukla @ Babu
Shukla Resident Of Village- Tiwaripur, P.S.- Tolagarh, District- Prayagraj,
Uttar Pradesh

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Giri
For the Opposite Party/s : Mr.Tapeshwar Sharma

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-04-2023 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)/20b(ii)B/29 of the NDPS Act.

The allegation against the petitioner is that he along
with co-accused persons was carrying ganja like substance by
a motorcycle, police party intercepted them and upon search
7.300 kgms ganja like substance recovered from their
possession.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case merely on the basis of



suspicion. Petitioner has no concern with the alleged recovery rather he has only taken lift from the co-accused and vehicle in question does not belong to him. He has got no criminal antecedent. It is further submitted that seizure list has not been prepared as per provision of u/s 50 of NDPS Act. Moreover, petitioner is languishing in judicial custody since 25.11.2022.

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 judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bhagwanpur P.S. Case No. 261 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, NDPS, Kaimur at Bhabhua.

(Sunil Kumar Panwar, J)

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