

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15969 of 2023

Arising Out of PS. Case No.-97 Year-2022 Thana- BALIA BELON District- Katihar

JITENDRA KUMAR YADAV Son of Vijay Yadav Resident of Village-
Kherho, P.S.- Puraini, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal

For the Opposite Party/s : Mr.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-05-2023 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), 21(b) of the NDPS Act.

The prosecution case relates to recovery of total 2.995 kg ganja like substance which was contained in a bag, and the same was recovered from a tempo.

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. The petitioner has no concern with the alleged recovery nor any incriminating article has been recovered



from his physical possession. He has got no criminal antecedent. It is further submitted that the recovered ganja like substance does not come within the purview of commercial quantity. Moreover, the petitioner is languishing in judicial custody since 06.08.2022.

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 Balia Belon P.S. Case No. 97 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 Additional Sessions Judge-IV, Katihar.

(Sunil Kumar Panwar, J)

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