

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14527 of 2023

Arising Out of PS. Case No.-215 Year-2022 Thana- INDUSTRIAL District- Bhagalpur

Ram Balak Sharma @ Rahul Sharma @ Rahul S/O Late Balmiki Sharma R/O
Village- Madi, P.S- Sultanganj, District- Bhagalpur At Present R/O Near
Mirjanhat, P.S- Babarganj, District- Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey
For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-05-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application

for grant of regular bail in a case registered for the

offences punishable under Sections 20(B)(ii)(c)/22 of

N.D.P.S. Act.

As per the allegation in F.I.R, 6 kg of Ganza

like narcotics substance, one mobile and five hundred

rupees have been recovered from the possession of the

petitioner.



It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. The petitioner has no concern with the alleged recovered contraband. It is further submitted that petitioner was bonafide passenger of the bus in question. The alleged recovered Ganza like narcotics substance is lesser than commercial quantity as per N.D.P.S. Act. Provision of N.D.P.S. has not been followed in this case. Moreover, the petitioner is languishing in judicial custody since 30.10.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on



bail in connection with Industrial Area P.S. Case No. 215
of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees
ten thousand) with two sureties of the like amount each
to the satisfaction of the learned District & Sessions
Judge, Bhagalpur.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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