

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.15792 of 2023**

Arising Out of PS. Case No.-360 Year-2022 Thana- GOVERNMENT OFFICIAL COMP.  
District- Purnia

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Ashutosh Kumar Son Of Anil Mandal R/O Vill.- English Ward No. 12, P.S.-  
Parbatta, Distt.- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ranjeet Kumar Singh  
For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      06-07-2023                      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 8/20 (b) (ii)  
(B) of the N.D.P.S. Act.

As per prosecution, it is a case of recovery of 5.078  
K.gm. Ganja like substance from a black Air Bag of the  
petitioner.

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 alleged recovery of  
Ganja from the petitioner has not come within the purview of  
commercial quantity. The petitioner has got no criminal  
antecedent as stated in para-3 of the bail petition. Similarly



situated other co-accused have already been granted bail by this Bench vide order dated 21.02.2023 passed in Cr. Misc. No. 63180 of 2022. Moreover, the petitioner is languishing in judicial custody since 20.08.2022.

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 period of 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 Excise Purnea P.S. Case No. 360 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 District and Sessions Judge 3<sup>rd</sup> -cum-Special Judge, N.D.P.S. Act, Purnea.

**(Sunil Kumar Panwar, J)**

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