

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14872 of 2023

Arising Out of PS. Case No.-340 Year-2022 Thana- KOCHADHAMAN District- Kishanganj

PRATAP KUMAR Son of Ram Prasad Rai R/o Village - Sharifganj, Ward
No.- 72, P.S.- Malsalami, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Giri

For the Opposite Party/s : Mr.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 8/20 (b)(ii)(B), 22, 23
and 29 of the N.D.P.S. Act.

As per prosecution case, on secret information
received, police party started checking the vehicle and on search
there has been recovery of 19.550 Kg *Ganja*, which was kept in
the bag hidden under the seats of the bus.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that seized *Ganja* was
recovered from the bus, not from the conscious possession of
the petitioner. Petitioner has no concern with the seized *Ganja*.



He submitted that seized Ganja like substance does not come within the purview of commercial quantity as per N.D.P.S. Act. He further submitted that petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 27.12.2022.

The application for bail is opposed by learned APP for the State.

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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge (NDPS Act), Kishanganj, District- Kishanganj in connection with Kochadhaman P.S. Case No. 340 of 2022.

(Sunil Kumar Panwar, J)

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