

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16594 of 2023

Arising Out of PS. Case No.-298 Year-2022 Thana- BHAGWANPUR District- Kaimur
(Bhabua)

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Santosh Yadav S/O Haridwar Singh Yadav @ Haridwar Yadav Village-
Kanhana, P.S- Adhaura, Distt.- Kaimur, Bhabua.

... .. Petitioner/s

Versus

The state of Bihar A.G Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh
For the Opposite Party/s : Mr. Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-04-2023 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), 20(b)
(ii)(B), 29 of the N.D.P.S. Act.

As per FIR, prosecution case relates to recovery of
2kg ganja like substance from bags which is occupied by co-
accused Vikash Kumar and the petitioner is said to be driver of
the seized motorcycle and he was apprehend on spot.

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 petitioner has no
concern with the alleged recovery of ganja like narcotic



substance and the same is alleged to be 2 kg which does not come under purview of commercial quantity as per N.D.P.S. Act. It is further submitted the provision of N.D.P.S. Act has not been followed by the prosecution. He has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 31.12.2022.

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 Bhagwanpur P.S. Case No. 298 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, N.D.P.S. Act, Kaimur at Bhabhua.

(Sunil Kumar Panwar, J)

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