

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16305 of 2023

Arising Out of PS. Case No.-584 Year-2022 Thana- BETTIAH CITY District- West
Champaran

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Dinesh Gupta Son Of Dahari Gupta R/V- Jiganahi, Ps- Bhitaha, Dist- West
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kr Singh No. 1
For the Opposite Party/s : Mr.Akhileshwar Dayal

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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 8, 20B(ii)
(c), 29 of the NDPS Act.

The prosecution case relates to recovery of total
11.500 kg ganja like substance which was recovered from the
trolley bag of the petitioner. It is further alleged that from co-
accused persons ganja like substance was also recovered.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The
petitioner was standing on the bus stop and he has falsely
been implicated in this case merely on the basis of suspicion.



The petitioner has no concern with the alleged recovery and the recovered 11.500 kg ganja like substance does not come within the commercial quantity. He has got no criminal antecedent. It is further submitted that the seizure list has not been prepared as per provision of u/s 50 of the NDPS Act. Moreover, the petitioner is languishing in judicial custody since 09.08.2022.

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 Bettiah Town P.S. Case No. 584 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-III-cum-Special Judge, Bettiah, West Champaran.

(Sunil Kumar Panwar, J)

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