

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19114 of 2023**

Arising Out of PS. Case No.-352 Year-2022 Thana- JAGDISHPUR District- Bhojpur

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KANHAIYA PASI @ KANHAIYA KUMAR S/O- DIN DAYAL PASI @ DIN
DAYAL CHOUDHARY Resident of Village- Pasi Tola Jagdishpur Ps-
Jagdishpur Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gopal Krishna

For the Opposite Party/s : Mr. Pradeep Narain Kumar

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

2 18-05-2023 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 20, 21 of
the N.D.P.S. Act.

As per FIR, prosecution case relates to recovery of
10.97 gram narcotic substance like Heroine from possession of
co-accused Tuna Mishra and the petitioner is alleged to engaged
in illegal activities of selling and purchasing of contraband.

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 Heroine like narcotic



substance and the same has been recovered from possession of co-accused Tuna Mishra who disclosed the name of the petitioner in his confessional statement. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from conscious or constructive possession of this petitioner. It is further submitted that the petitioner is languishing in judicial custody since 24.1.2023.

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, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with NDPS case no. 87 of 2022 arising out of Jagdishpur P.S. Case No. 352 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, Bhojpur at Arrah.

(Sunil Kumar Panwar, J)

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