

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17438 of 2023

Arising Out of PS. Case No.-383 Year-2022 Thana- BARAUNI RAIL P.S. District- Begusarai

AJAY KUMAR @ GUJJAR S/O MAHENDRA MAHTO Resident of village-
Fulwariya Karam Asthan Ward No.- 3, P.S.- Fulwariya District- Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Prasad

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-05-2023 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 section 22 of the N.D.P.S. Act.

As per FIR, prosecution case relates to recovery of total 131 tables of Alprax from possession of the petitioner and he is said to have involved to commit the offence of theft by mixing the Alprax tables in passenger's food or drink.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case on the basis of suspicion. The petitioner has no concern with the alleged recovery of Alprax tables and during course of seizing the aforesaid



material, the provision of N.D.P.S. has not been followed by the prosecution. It is further submitted that the petitioner is languishing in judicial custody since 21.11.2022.

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 N.D.P.S. Case no. 47 of 2022 arising out of Barauni Rail P.S. Case No. 383 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 Court of Sessions Judge, Begusarai.

(Sunil Kumar Panwar, J)

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