

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19321 of 2023

Arising Out of PS. Case No.-189 Year-2022 Thana- BUXAR RAIL P.S. District- Bhojpur

SHIVAM KUMAR @ CHHOTU SON OF SANTOSH SINGH R/O
VILLAGE- DATAULI, MUDADIH, P.S.- SAHATWAR, DISTRICT- BALIA
(U.P.)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bishwajeet Singh, Advocate
For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 16-05-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with N.D.P.S. Case no. 10 of
2023 corresponding to Buxar Rail P.S. Case no. 189 of 2022
registered under sections 8 and 20 (b)(ii)(C) of the NDPS Act,
1985.

3. As per the prosecution case, 5 kgs of ganja was
recovered from the possession of the petitioner.

4. It is submitted by learned counsel for the petitioner
that the petitioner has been falsely implicated in the case. No
recovery of ganja, as alleged in the FIR, took place. There is no
FSL report on record to confirm the alleged seizure. The



petitioner not having any criminal antecedent is in custody since 2.12.2022 and charge sheet has been submitted in the case.

5. Heard learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation in the FIR, the petitioner having remained in custody for 5 months since 2.12.2022, charge sheet having been submitted in the case and the petitioner not having any criminal antecedent, the Court directs the petitioner to be enlarged on bail in connection with N.D.P.S. Case no. 10 of 2023 corresponding to Buxar Rail P.S. Case no. 189 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge XIII, Bhojpur at Ara.

(Partha Sarthy, J)

Prakash/-

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