

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28844 of 2023

Arising Out of PS. Case No.-296 Year-2022 Thana- SONBERSA District- Sitamarhi

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GULSHAN KUMAR YADAV @ GULSHAN RAI SON OF LALBABU RAI
R/O VILLAGE- JAMUNIA MUSHAHARNIYA, P.S.- SONBARSA,
DISTRICT- SITAMARHI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Ajay Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 16-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 8/20 (b)(ii)(c), 22 of the
N.D.P.S. Act.

3. As per prosecution case, there has been recovery of
10 Kg *Charas* like substance from the bag of the other co-
accused person.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner has not apprehended on spot
and he has no concern with the seized narcotic like substance. It
is evident from the F.I.R. that the as alleged *Charas* like



substance recovered from the possession of the co-accused not from this petitioner. No incriminating article has been recovered from the conscious possession of the petitioner. He further submitted that petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 25.10.2022.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail **after framing of charge, if not framed**. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Sitamarhi in connection with Sonbersa P.S. Case No. 296 of 2022.

(Sunil Kumar Panwar, J)

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