

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26165 of 2023

Arising Out of PS. Case No.-240 Year-2021 Thana- BARHIYA District- Lakhisarai

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Pawan Kumar @ Pawan Singh, Son of Rajendra Singh, Resident Of Village-
Jaitpur, PS- Barahiya , Distt- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Advocate

For the Opposite Party/s : Mr.Uday Pratap Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 24-05-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P.
for the State.

The petitioner has preferred this application for grant of regular bail in connection with Barahiya P.S. Case No. 240 of 2021 dated 13.09.2021 registered for the offences punishable u/ss 8/20(b) (ii)(c)/29 of the N.D.P.S. Act.

As per the prosecution case, on secret information, the police raided the house of the accused persons and recovered about 1100.590 kg of *ganja* like substance.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case.
The petitioner is not named in the F.I.R. The name of the petitioner



has sprung in this case in the confessional statement of the co-accused Pintu Matho. No incriminating article was recovered from the possession of the petitioner. The petitioner is accused in five more criminal cases in which he is on bail in all the cases as stated in para 3 of the bail petition. The petitioner is in custody since 17.01.2023.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the seized ganja is of commercial quantity.

Considering the aforesaid facts and circumstances of the case as well as the period of custody and the fact that there is no recovery of ganja from the possession of the petitioner, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Lakhisarai in connection with N.D.P.S. Case No. 01 of 2022 arising out of Barahiya P.S. Case No. 240 of 2021.

The application stands allowed.

(Chandra Prakash Singh, J)

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