

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.24799 of 2023**

Arising Out of PS. Case No.-13 Year-2023 Thana- BELA District- Sitamarhi

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MUKESH CHOURASIYA S/O SOGARATH CHOURASIYA Resident of  
Village- Gara Baithpur, P.S.- Jaleswar, District- Mahotari (Nepal).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Hans Lal Kumar

For the Opposite Party/s : Mr.Ramchandra Sahn

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

2      22-05-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner has prayed for bail in a case registered  
for the offence punishable under sections 22(b), 23(b) of NDPS  
Act.

Prosecution case relates to recovery of 800 tablets of  
contraband Nitzacare tablet from a cartoon, which was being  
thrown by the petitioner after seeing the SSB personals.  
Petitioner was apprehended after chase.

Learned counsel appearing on behalf of the petitioner  
has submitted that petitioner is innocent and has committed no  
offence. He has got no criminal antecedent. Nothing has been  
recovered from conscious possession of the petitioner. He has  
no concern with the alleged recovery or with the place of



occurrence. Provision of Section 50 of NDPS Act has not been followed by the police officials while preparing the seizure list. Petitioner is languishing in judicial custody since 10.01.2023.

Learned APP appearing for the State has opposed the prayer of 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 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 Sessions Judge-cum-Special Judge, Sitamarhi in connection with Bela P.S. Case No. 13 of 2023.

**(Sunil Kumar Panwar, J)**

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