

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24880 of 2023

Arising Out of PS. Case No.-384 Year-2022 Thana- SIMRI District- Buxar

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OM PRAKASH CHAURASIA S/O-RAMESHWAR CHAURASIA R/o-
Balihar, P.s.-Simri, Distt.-Buxar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Lakshmi Kant Sharma

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 23-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 20(b)(ii)(c), 22, 27(A)
and 29 of the N.D.P.S. Act.

As per prosecution case, on secret information
received, police party started checking the house of the
petitioner and on search there has been recovery of 23.550 Kg
Ganja from the petitioner's house, which was kept in three bags.

It is submitted by learned counsel for the petitioner



that petitioner has been falsely implicated in this case. He has committed no offence. He submitted that after recovery of article process of sampling was carried on 17.11.2022 in presence of the learned Special Magistrate, who found that one packet of *Ganja* consisting grass and soil like substance weighing about 7.850 kg meaning thereby, the recovery is approximately 15.7 kg, which is less than the commercial quantity but more than small quantity, as per N.D.P.S. Act. As per seizure list, no incriminating article/narcotics substances recovered from the conscious possession of the petitioner. The petitioner has no concern with the seized *Ganja*. 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 19.10.2022.

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

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 District



Judge-cum-Special Judge, NDPS Act, Buxar in connection with
Simri P.S. Case No. 384 of 2022.

(Sunil Kumar Panwar, J)

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