

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26534 of 2023

Arising Out of PS. Case No.-138 Year-2022 Thana- BARAUNI RAIL P.S. District- Begusarai

PANDAV KUMAR Son of Ram Pravesh Yadav Resident of Village - Rajajan,
P.S.- Mansi, District - Khagaria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrityunjay Kumar

For the Opposite Party/s : Mr.Brajendra Nath Pandey

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 bail in a case registered
for the offence punishable under sections 8/20 (b)(ii)(b) of
NDPS Act.

As per allegation in the FIR, during checking at platform
no. 1 at Barauni Railway Station, petitioner was apprehended
with 5.750 gram of ganja like substance.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has been falsely implicated in this Case. No local
person was made as a witness of the seizure list rather seizure
list witnesses are police personnel. There is complete violation
of provision of Section 50 of the NDPS Act. There is no FSL



report to confirm that the seized article is contraband material.
The recovered article comes below the commercial quantity.
Petitioner is languishing in judicial custody since 10.04.2022.

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
Additional Sessions Judge 1st Begusarai in connection with
NDPS Case No. 14 of 2022 arising out of Barauni Rail P.S.
Case No. 138 of 2022.

(Sunil Kumar Panwar, J)

sushma/-

U			
---	--	--	--

