

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29968 of 2023

Arising Out of PS. Case No.-26 Year-2023 Thana- BAISI District- Purnia

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AJAY KUMAR S/O RAM EKBAL RAY R/O Village- Daudnagar, Ward No. 7, P.S- Biddupur, Distt.- Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vaishnavi Singh

For the Opposite Party/s : Mr.Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 02-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 8/20(b)(ii) (B) of the N.D.P.S. Act.

3. As per FIR, prosecution case relates to recovery of total 19.498 kg ganja like narcotic substance which was kept in 24 packets in a vehicle and the petitioner is alleged to have apprehended on spot.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Although the petitioner was apprehended on spot but he has no concern with the alleged recovery of ganja like narcotic substance and the same is alleged



to be 19.484 kg which does not come under purview of commercial quantity as per N.D.P.S. Act. The petitioner is neither driver nor owner of the seized vehicle. It is further submitted the provision of N.D.P.S. Act has not been followed by the prosecution. The petitioner has got no criminal antecedent and languishing in judicial custody since 13.1.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Baisi P.S. Case No. 26 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned special Judge, N.D.P.S. Act, Purnea.

(Sunil Kumar Panwar, J)

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