

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39736 of 2023

Arising Out of PS. Case No.-49 Year-2021 Thana- ISHAKCHAK District- Bhagalpur

MD GULAB @ BADSHAH @ IMTIYAZ KHAN Son of Gyas Ahmed Resi-
dent of Village Meer Feku Lane, PS- Ishakchak, Dist. Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh

For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 01-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 276, 419, 420 of the IPC and Sections 18(c)/27(b)(ii), 28 of Drugs and Cosmetics Act and Sections 08, 20, 21 and 22 of the NDPS Act.

As per prosecution case, 284 bottles of cough syrup each containing 100 ml., 300 grams ganja and mobile phones have been recovered from the house of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner was not apprehended on the spot rather he has falsely been implicated in the present case due to high handedness of the police officials. The petitioner has no concern with the alleged recovery of ganja and the same was lesser than



commercial quantity as per N.D.P.S. Act and nothing incriminating article has been recovered from the conscious possession. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 07.12.2021 passed in Cr. Misc. No. 55864 of 2021. It is further submitted that the petitioner is languishing in judicial custody since 07.02.2023.

Learned APP appearing for the state has opposed the prayer of regular 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 released on bail in connection with Ishakchak P.S. Case No. 49 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned District and Sessions Judge, Bhagalpur.

(Sunil Kumar Panwar, J)

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