

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35559 of 2023

Arising Out of PS. Case No.-179 Year-2022 Thana- BHAPTIAHI District- Supaul

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Kamleshwari Yadav @ Soman @ Soman Mangardaita Son Of Late Kusumlal
Yadav @ Kusumlal Mangardaita Resident Of Village- Ward No. 07,
Bhaptiyahi, Ps- Bhaptiyahi, Distt- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bijendra Kumar Singh
For the Opposite Party/s : Mr.Madhuri Lata

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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.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under sections 8/20(c)(ii)
(A) 21 (c) of the N.D.P.S. Act.

The prosecution story is that the informant got secret
information about illegal trading of Ganja, thereafter, he reached
at the place of occurrence and apprehended the petitioner. On
search, total 16.450 kg ganja was recovered from the backside
of the petitioner.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has



falsely been implicated in the present case. The petitioner has no concern with the alleged recovery of ganja and the same is lesser than commercial quantity as per N.D.P.S. Act and the seizure list has not been prepared as per provision of Section 50(1) of the NDPS Act. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 03.01.2023.

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 Bhaptiyahi P.S. Case No. 179 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum Special Judge, NDPS, Supaul.

(Sunil Kumar Panwar, J)

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