

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35435 of 2023

Arising Out of PS. Case No.-106 Year-2023 Thana- ITARHI District- Buxar

Mantu Chouhan S/O- Harihar Chouhan Village- Bhelupur Ps- Itarhi Dist-
Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyapal Singh

For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 03-10-2023 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(c), 20(b)iii/ 21(b) and 22(b) of the N.D.P.S. Act.

3. Prosecution case relates to recovery of 2.533 kg of ganja like intoxicating substance and 31 grams of heroin like substance along with some equipment from the alleged house of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The recovered incriminating article does not come within the purview of commercial quantity as per NDPS Act. No any incriminating article has been



recovered from his conscious possession. Moreover, he is languishing in judicial custody since 25.04.20223.

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 **after framing of charge if the charge is not framed**, in connection with Itarhi P.S. Case No. 106 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 District Judge cum Special Court NDPS Act, Buxar.

(Sunil Kumar Panwar, J)

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