

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42852 of 2023

Arising Out of PS. Case No.-88 Year-2022 Thana- BHANGHA District- West Champaran

OMPRAKASH TIWARI SON OF LATE VISHWANATH TIWARI
RESIDENT OF VILLAGE - KHAIRATIYA (CHAWANI), P.S. -
MANUWAPUR, BETTIAH, DISTRICT - WEST CHAMPARAN, BIHAR-
841503

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Vishal Prasad, Adv. Mr. Kumar Balkrishna, Adv.
For the Opposite Party/s	:	Mr.Navin Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 21-07-2023 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner has preferred this application for grant
of regular bail in connection with Bhangha P.S. Case No. 88 of
2022 dated 25.12.2022 registered for the offence punishable u/s
20, 22, 23, 24, 27 of the NDPS Act.

As per the prosecution case, 3.3 kgs of Ganja is
alleged to have recovered from the possession of the petitioner.

Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged recovery. The seized quantity is not the commercial quantity. The petitioner has got clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 26.12.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Bettiah, West Champaran in connection with Bhangha P.S. Case No. 88 of 2022.

The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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