

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44507 of 2023

Arising Out of PS. Case No.-9 Year-2023 Thana- BHANGHA District- West Champaran

Gena Yadav Son Of Late Banarshi Yadav Resident Of Village- Rupahi, Ahir
Tola, Ps- Bhitaha, Distt- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No. 1, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

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

ORAL ORDER

4 16-08-2023 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.

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

3. The petitioner has preferred this application for grant of regular bail in connection with Bhangaha P.S. Case No. 09 of 2023 dated 04.02.2023 registered for the offences punishable u/ss 20, 22, 23, 24 and 27 of the NDPS Act, but after investigation the police has submitted charge sheet under sections 8, 20 (b) (ii) (c) of the NDPS Act.

4. As per the prosecution case, total 15.100 Kg. *Ganja* was recovered from the possession of the petitioner.



5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The seized contraband is not of commercial quantity. Similarly situated co-accused has already been granted bail by the co-ordinate bench of this court *vide* order dated 21.07.2023 passed in Cr. Misc. No. 41788 of 2023. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 05.02.2023.

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

7. 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, West Champaran, Bettiah in connection with Bhangaha P.S. Case No. 09 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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