

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45395 of 2023

Arising Out of PS. Case No.-134 Year-2023 Thana- MAJORGANJ District- Sitamarhi

MD. SADIK SHEIKH @ MD. SADIK SHEKH @ MOHAMMAD SADIK
@ SADIQUE SHEIK son of Baddu Shekh @ Sekh Badu @ Mohammad
Badu @ Md. Badu Village- ward no-7, Bhagwatipur @ Bhagawatipur ward
no-7 Bela Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 19-12-2023 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(b) (ii)
(B) 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 and apprehended the petitioner along with co-
accused. On search, total 1.4 kilogram ganja was recovered
from their motorcycle.

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 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. 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 recovered vehicle does not belong to the petitioner. Moreover, he is languishing in judicial custody since 14.05.2023.

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 **after framing of charge, if not framed**. The above named petitioner is directed to be released on bail in connection with Majorganj P.S. Case No. 134 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 Special Judge, NDPS, Act, Sitamarhi.

(Sunil Kumar Panwar, J)

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