

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46582 of 2023

Arising Out of PS. Case No.-192 Year-2016 Thana- AMAS District- Gaya

RAJU YADAV @ JATAN YADAV son of Sri Devki Yadav Village- Chhotki
Jori Ps- Washishth Nagar Jori and Dist- Chatra Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 09-10-2023 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, 17(B), 18(B), 25 & 29 of the N.D.P.S. Act.

3. According to the prosecution case, the petitioner is said to have been apprehended from an Scorpio vehicle bearing Registration no. JH02M-8200 from where, 650 gram Afim (Opium) was recovered.

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 on the basis of suspicion. The petitioner has no concern with the alleged recovery of opium like narcotic substance and the same is alleged to be 650-



gm, which does not come under purview of commercial quantity as per N.D.P.S. Act. It is further submitted the alleged seized vehicle belongs to the petitioner. Moreover, he is languishing in judicial custody since 13.5.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted from perusal of F.S.L. report that Morphin & alkaloids of opium were detected.

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 him on bail. The above named petitioner is directed to be released on bail **after framing of charge, if not framed**, in connection with Amas P.S. Case No. 192 of 2016 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, N.D.P.S. Act, Gaya.

(Sunil Kumar Panwar, J)

Amandeep/-

U		T	
---	--	---	--

