

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47164 of 2022

Arising Out of PS. Case No.-51 Year-2021 Thana- SAHODARA District- West Champaran

MOTILAL PATWARI S/o Late Harinarayan Patwari Resident of Village-
Bhatni, P.s.- Sahodra, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The union of India through the Mohindra Kumar, ASI (SSB) Presently
Posted in 44 Bataliaon S.S.B. District- West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anant Kumar Mishra
For the Opposite Party/s : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 13-02-2023 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), 8/20(b)(ii)(c) of the N.D.P.S. Act.

As per prosecution story, the informant apprehended
this petitioner during checking of vehicle at Jamuniya Market
thereafter he recovered 10.9 kilogram ganja/narcotic substance
from a motorcycle bearing Registration no. BR-22M-8998
which was driven by this petitioner.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this present case. The petitioner has



no concern with the alleged recovery of ganja/narcotic substance and alleged motorcycle belongs to the wife of the petitioner namely, Arti Devi. It is further submitted that the alleged recovered ganja is 10.9 kg which is lesser than commercial quantity as per the N.D.P.S. Act. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Moreover, the petitioner is languishing in judicial custody since 26.6.2021.

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. The above named petitioner is directed to be released on bail in connection with Sahodra P.S. Case No. 51 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge III, Bettiah, West Champaran.

(Sunil Kumar Panwar, J)

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