

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49114 of 2023

Arising Out of PS. Case No.-410 Year-2022 Thana- SONBERSA District- Sitamarhi

Sanjay Kumar Sharma Son Of Sri Ram Chandra Sharma Resident Of
Mohalla- Court Bazar Ward No. 15, Ps- Sitamarhi, Dist- Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Prasad Singh

For the Opposite Party/s : Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 20-12-2023 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 8/20(b)(ii)
(A) of the NDPS Act.

3. Prosecution case relates to recovery of 7.4 kg of
ganja like intoxicating substance from the possession of this
petitioner.

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. He has no concern with the
seized ganja. The recovered ganja like intoxicating substance
does not come within the purview of commercial quantity as per
NDPS Act. Moreover, the petitioner is languishing in judicial



custody since 09.11.2022.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

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 the petitioner on bail. The above named petitioner is directed to be released on bail **after framing of charge if the charge is not framed** in connection with Sonbarsa P.S. Case No. 410 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum-Spl. Judge NDPS Act, Sitamarhi.

(Sunil Kumar Panwar, J)

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