

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49189 of 2023

Arising Out of PS. Case No.-171 Year-2023 Thana- BHAGWANPUR District- Kaimur
(Bhabua)

ANUBHAV PANDEY Son of Kapilmuni Pandey Resident of Village-Ledari,
P.S.-Chand, District-Kaimur at Bhabua

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 49828 of 2023

Arising Out of PS. Case No.-171 Year-2023 Thana- BHAGWANPUR District- Kaimur
(Bhabua)

NIRAJ THAKUR @ NEERAJ THAKUR SON OF UDAI THAKUR @
UDAY NAUU RESIDENT OF VILLAGE - LEDARI , P.S. - CHAND,
DISTRICT- KAIMUR AT BHABUA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 49189 of 2023)

For the Petitioner/s : Mr.Rajani Kant Pandey

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

(In CRIMINAL MISCELLANEOUS No. 49828 of 2023)

For the Petitioner/s : Mr.Tribhuwan Narayan

For the Opposite Party/s : Mr.Rita Verma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 13-09-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for regular bail in a
case instituted for the offence under Section 414 of the Indian
Penal Code and Sections 8(c), 20 (b)(ii)B and 29 of the N.D.P.S.



Act.

3. As per prosecution case, there has been recovery of 4.410 Kg *Ganja* from the petitioner namely, Niraj Thakur @ Neeraj Thakur.

4. It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. They have committed no offence. He submitted that the petitioners have no concern with the seized *Ganja*. He submitted that seized *Ganja* like substance does not come within the purview of commercial quantity as per N.D.P.S. Act. The provision of Section 50 of the N.D.P.S. Act has not followed in this case. He further submitted that petitioner has got no criminal antecedent as stated in para-3 of the bail petition. They are languishing in judicial custody since 14.06.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioners on bail **after framing of charge, if not framed**. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only)



each with two sureties of the like amount each to the satisfaction of the learned Court below in connection with Bhagwanpur P.S. Case No. 171 of 2023.

(Sunil Kumar Panwar, J)

arish/-

U			
---	--	--	--

