

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50250 of 2023

Arising Out of PS. Case No.-52 Year-2023 Thana- ISHUPUR BARAHAT District- Bhagalpur

Anand Prakash @ Sonu Pandey Son Of Vijaya Shankar Pandey R/O-
Madhopur, Karhar, P.S.-Kahalgau, Distt.-Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deepak Kumar Sinha

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 20 and 22 of the NDPS Act.

3. It is a case of recovery of 1.00 k.g. brown sugar like substance kept in 13 packets from the box of air filter of motorcycle of the petitioner.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this Case. No local person was made as a witness of the seizure list rather seizure list witnesses are police personnel. There is complete violation of provision of Section 50 of the NDPS Act.



There is no FSL report to confirm that the seized article is contraband material. The alleged recovery has been made from possession of co-accused Md. Afridi, who has disclosed the name of the petitioner as one of his associates. The recovered incriminating narcotic substance is not more than the commercial quantity. Petitioner has got no criminal antecedent and languishing in judicial custody since 4.4.2023.

Learned APP appearing for the State has opposed the prayer of 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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-I, Bhagalpur in connection with Ishipur Barahat P.S. Case No. 52 of 2023.

(Sunil Kumar Panwar, J)

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