

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50713 of 2023

Arising Out of PS. Case No.-73 Year-2023 Thana- BOCHAHAN District- Muzaffarpur

Md. Umar Alam Son Of Mohammad Jamasaid @ Md. Jamshed Alam R/O-
Gyaspura, P.O.-Lohara Street No. 03, P.S.-Kanganwal, Distt.-Ludhiyana
(Punjab).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh

For the Opposite Party/s : Mr.Shahabuddin Azeem @ S. Azeem

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 30-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 20 and 22 of the
N.D.P.S. Act.

3. As per prosecution case, on receiving secret
information that one person is going towards Muzaffarpur by
tempo is carrying Ganja, police party started checking the
vehicle and on search there has been recovery of 10.180 Kg
Ganja and other articles from the bag of the petitioner.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that the petitioner has 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. He further submitted that petitioner has got no criminal antecedent as stated in para-3 of the bail petition. The provision of Section 50 of the N.D.P.S. Act has not been followed in this case. He is languishing in judicial custody since 13.02.2023.

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 petitioner on bail **after framing of charge, if not framed**. 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 Sessions Judge-cum-Spl. Judge, Muzaffarpur in connection with Bochahan P.S. Case No. 73 of 2023.

(Sunil Kumar Panwar, J)

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