

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55777 of 2023

Arising Out of PS. Case No.-25 Year-2023 Thana- BHANGHA District- West Champaran

Shambhu Paswan Son Of Late Dukhi Hazra Resident Of Village - Pipdari,
P.S. - Serwa, Distt. - West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India through the Inspector General, S.S.B., Frontier Head Quarter, Patna Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-09-2023 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 20, 22, 23, 24 and 27 of the NDPS Act.

3. Prosecution case relates to recovery of 2.5 kg of ganja like substance from the possession of the 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 recovered ganja like substance and the said recovery of ganja does not come within the purview of commercial quantity as per



NDPS Act. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 30.03.2023.

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 not framed**, in connection with Bhangaha P.S. Case No. 25 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-the Special Judge under NDPS Act, West Champaran at Bettiah.

(Sunil Kumar Panwar, J)

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