

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54487 of 2023

Arising Out of PS. Case No.-290 Year-2023 Thana- ATRI District- Gaya

Binod Kunar @ Chotey Son Of Nand Keshwar Singh Resident Of Village-
Shevtar @ Sheotar, P.S.- Atri, District- Gaya

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 08-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 20(b) (ii) (B) of the N.D.P.S. Act.

The prosecution story is that the informant got secret information about illegal trading of Ganja, thereafter, he reached at the place of occurrence and apprehended the petitioner. On search, total 17.48 kg ganja was recovered from his home.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in the present case due to high handedness of the police officials. The petitioner has no concern with the alleged recovery of ganja and the same was lesser than



commercial quantity as per N.D.P.S. Act. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. During preparation of seizure list Section 100 of the Cr.P.C. has not been followed. It is further submitted that the petitioner is languishing in judicial custody since 18.06.2023.

Learned APP appearing for the state has opposed the prayer of regular 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 **after framing of charge, if not framed**. The above named petitioner is directed to be released on bail in connection with Atri P.S. Case No. 290 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-Special Judge, NDPS, Act, Gaya.

(Sunil Kumar Panwar, J)

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