

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53723 of 2023

Arising Out of PS. Case No.-48 Year-2023 Thana- BHANGHA District- West Champaran

ABHAY KUMAR PASWAN Son of Harishchandra Hazra Resident of
Village-Dharampur, P.S.-Sathi, District-West Champaran (Bettiah)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Thakur Brajesh Singh

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 31-10-2023 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 (b), 11(b), 22(b), 23
(b) of the N.D.P.S. Act.

3. As per prosecution case, on secret information
received, police party started checking the vehicle and on search
there has been recovery of 450 Gram *Charas* from a
motorcycle.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner was apprehended on spot. He
submitted that the petitioner has no concern with the seized
Charas. He submitted that seized *Charas* 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. He is languishing in judicial custody since 18.06.2023.

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 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, West Champaran at Bettiah in connection with Bhangha P.S. Case No. 48 of 2023.

(Sunil Kumar Panwar, J)

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