

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57586 of 2023

Arising Out of PS. Case No.-201 Year-2023 Thana- BAHERA District- Darbhanga

Panch Lal Mishra Sonof Late Chandeshwar Mishra Resident Of Village -
Mahinam Tole Khabhana, Police Station - Bahera, And District - Darbhanga

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary

For the Opposite Party/s : Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-09-2023 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 8/20(b)(ii) (b) of the NDPS Act and Section 37 of the Bihar Prohibition and Excise Act.

3. Prosecution case relates recovery of 1.5 kg of Ganja like narcotics substance beneath a bed at Dalan and also the petitioner had consumed liquor.

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. Nothing has been recovered from the conscious possession of the petitioner and also he has no concern with the alleged recovery. It is further submitted that



the recovered 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 05.05.2023.

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 Bahera P.S. Case No. 201 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, Darbhanga, Bihar.

(Sunil Kumar Panwar, J)

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