

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58407 of 2023

Arising Out of PS. Case No.-333 Year-2023 Thana- SITAMARHI District- Sitamarhi

Prabhu Bhagat Son Of Mahendra Bhagat R/O Vill- Madanpur, Ps- Parsauni,
Dist- Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 05-12-2023 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.

3. Prosecution case relates to recovery of 500 grams of charas like narcotics substance from the possession of the petitioner and 500 grams of charas has also been recovered from the possession of other co-accused person.

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 seized incriminating material. The recovered charas like substance from the possession of this petitioner does not come



within the purview of commercial quantity as per NDPS Act. There is no independent witness of the seizure list rather they are police personnel. Moreover, he is languishing in judicial custody since 27.04.2023.

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 in connection with Sitamarhi P.S. Case No. 333 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 Special Judge, Sitamarhi.

(Sunil Kumar Panwar, J)

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