

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60489 of 2023

Arising Out of PS. Case No.-361 Year-2023 Thana- GHORASAHAN District- East
Champanan

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Surendra Bhagat Son Of Late Ram Ayodhya Resident Of Village Jeetpur Bela,
Ps- Jitna, Dist- East Champanan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 18-12-2023 Heard learned counsel for the petitioner and

learned A.P.P appearing on behalf of the State.

The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 20(b)(ii)(b), 23(b), 25 of the N.D.P.S Act.

There is recovery of 13 Kgs of *Ganja* from the

possession of the petitioner.

It is submitted by learned counsel for the

petitioner that petitioner is innocent and he has falsely

been implicated in this case. Nothing has been recovered

from the conscious possession of the petitioner. The

petitioner has no concern with the seized contraband.

Moreover, the seized contraband does not come within



the purview of commercial quantity. The petitioner is languishing in custody since 21.06.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail **after framing of charge, if the charge has still not been framed** and on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Sessions Judge/Special Judge, East Champaran at Motihari in connection with Ghorasahan P.S. Case No. 361 of 2023.

(Sunil Kumar Panwar, J)

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