

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57788 of 2023

Arising Out of PS. Case No.-163 Year-2023 Thana- JOGBANI District- Araria

Md. Ajim Iliyas @ Ajim Iliyas @ Ajim S/O Md. Iliyas Resident Of Islampur,
Ward No.6, Jogbani, P.S.-Jogbani, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 17, 18, 20(b)II(b), 21, 22 of the N.D.P.S. Act.

3. According to the FIR, the petitioner along with others are said to have apprehended on spot and from possession of the petitioner, Nepal currency of Rs. 198500/- as well as 12 gram brown sugar were recovered. The petitioner has not given satisfactory reply regarding seized Nepali currency.

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. The petitioner is said to have apprehended with 12 gram brown sugar like contraband



substance which does not come under purview of commercial quantity as per N.D.P.S. Act. It is also submitted that the petitioner has also not concerned with the seized Nepali currencies. It is further submitted the provision of N.D.P.S. Act has not been followed by the prosecution. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition and he is languishing in judicial custody since 23.6.2023.

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 period, 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 Jogbani P.S. Case No. 163 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-cum-Special Judge, N.D.P.S. Act, Araria.

(Sunil Kumar Panwar, J)

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