

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59972 of 2023

Arising Out of PS. Case No.-126 Year-2023 Thana- POTHYA District- Kishanganj

Wahid @ Wahid Alam S/O Nauddin R/O Village- Fulbari, P.S- Pothia, Distt.-
Kishanganj.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhola Prasad
For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-09-2023 Heard learned counsel for the petitioner and
learned APP for the State.

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

As per prosecution case, the petitioner and co-
accused persons were apprehended on the spot along with a
motorcycle and upon search total 100 gram smack was
recovered.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in the present case. The petitioner
has no concern with the alleged recovery and the same was



lesser than commercial quantity as per N.D.P.S. Act. It is further submitted that the seizure list has not been prepared as per provision of law. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 04.06.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, 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 released on bail in connection with Pothia P.S. Case No. 126 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 concerned Court.

(Sunil Kumar Panwar, J)

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