

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59335 of 2023

Arising Out of PS. Case No.-98 Year-2022 Thana- DUMRAO District- Buxar

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SURENDRA PRASAD @ SURENDRA TURHA @ LAVARA S/O
JAWAHAR PRASAD @ JAWAHAR SAH VILLAGE AND PO MASARH,
PS- UDWANTNAGAR, DIST- BHOJPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shankar Kumar

For the Opposite Party/s : Mr.Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 20 and 22(c) of the
N.D.P.S. Act.

3. As per prosecution case, there has been recovery of
9.2 Kg (approx) *Ganja* from the bag of the co-accused Jitendra
Dhanuk, who apprehended on spot.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner has not apprehended on spot.
The name of the petitioner has come into light on the basis of
confessional statement of co-accused, which has got no



evidentiary value in the eyes of law. He submitted that the petitioner has no concern with the seized Ganja. No incriminating article has been recovered from the conscious possession of the petitioner. He is languishing in judicial custody since 01.07.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, 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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court below in connection with Dumrao P.S. Case No. 98 of 2022.

(Sunil Kumar Panwar, J)

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