

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60571 of 2023

Arising Out of PS. Case No.-22 Year-2023 Thana- NAUGACHIA District- Bhagalpur

MD. SUBER @ MD. SUBER ALAM Son of Ebrahim @ Emran @ Imran
Resident of Village-Jamunia, P.S.-Parbatta, District-Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha

For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 8(C), 17(A) of the N.D.P.S. Act.

3. As per FIR, one co-accused namely, Minthun Kumar @Mritunjay was apprehended from whose possession, 50-60 gm ganja was recovered who disclosed the name of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is not named in the FIR rather his name was transpired on the disclosure made by apprehended co-accused Mithun Kumar. No any contraband substance was recovered



from conscious possession of the petitioner rather the same was alleged to have recovered from co-accused Mithun Kumar who was already incarcerating in jail. The petitioner has no concern with the alleged recovery of ganja like narcotic substance. It is further submitted that the petitioner is languishing in judicial custody since 27.5.2023.

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 Naugachia P.S. Case No. 22 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 3rd Additional Sessions Judge, Naugachia, Bhagalpur.

(Sunil Kumar Panwar, J)

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