

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61304 of 2023

Arising Out of PS. Case No.-344 Year-2023 Thana- KOILWAR District- Bhojpur

1. Dhiraj Kumar Son Of Late Ashok Singh Resident Of Village- Sithaura, P.S. Rajgir, District- Nalanda.
2. Amish Kumar @ Rahul Raj Son Of Manoj Singh Resident Of Village- Sithaura, P.S. Rajgir, District- Nalanda.
3. Akhilesh Kumar Son Of Late Parmanand Singh Resident Of Village- Sithaura, P.S. Rajgir, District- Nalanda.
4. Ajay Singh @ Ajay Kumar Son Of Late Chandradeo Das Resident Of Village- Sithaura, P.S. Rajgir, District- Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary

For the Opposite Party/s : Mr.Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-09-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for grant of bail in connection with Koilawar P.S. Case No. 344 of 2023 registered under section 21(b) of the NDPS Act.

Prosecution case relates to recovery of 118.49 grams of heroin like narcotics substance from a four wheeler bearing Reg. No. JH-10AJ-8588.

Learned counsel for the petitioners submits that the petitioner are innocent and have committed no offence. They



have falsely been implicated in this case. No incriminating article has been recovered from their possessions and also they have no concern with the seized recovery. The recovered heroin like narcotics substance does not come within the purview of commercial quantity as per NDPS Act. There is no witness of the seizure list rather they are police personnel. Moreover, the petitioners are languishing in judicial custody since 12.06.2023.

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

Having heard learned counsel for the parties and considering the facts and circumstances of this case as well as the custody of the petitioners, the Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail **after framing of charge, if the charge is not framed**, in connection with Koilawar P.S. Case No. 344 of 2023 on each of them furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Bhojpur, Ara.

(Sunil Kumar Panwar, J)

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