

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63933 of 2023

Arising Out of PS. Case No.-204 Year-2023 Thana- BAUNSI District- Banka

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AJAY CHOUDHARY son of Ashish Choudhary Village- Shyam Bazaar Ps-
Bounsi Dist- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Renu Kumari

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-10-2023 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 8, 20(b)(ii)
(A) of the N.D.P.S. Act.

3. According to the prosecution, the petitioner is
alleged to have been apprehended from his sweet shop from
where, 165 gram ganja like substance was recovered.

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 has no
concern with the alleged recovery of ganja like narcotic
substance and the same is alleged to be 165 gram which is lesser
than small quantity as per N.D.P.S. Act. It is further submitted



the provision of N.D.PS. Act has not been followed by the prosecution. Nothing has been recovered from conscious possession of the petitioner. Moreover he is languishing in judicial custody since 19.7.2023.

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 him on bail. The above named petitioner is directed to be released on bail in connection with Bounsi P.S. Case No. 204 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 Judge, Banka-cum-Special Judge (NDPS) Act, Banka.

(Sunil Kumar Panwar, J)

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