

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58128 of 2023

Arising Out of PS. Case No.-255 Year-2023 Thana- NAWANAGAR District- Buxar

SRI RAM SAH S/O- GAURI SAH VILLAGE- BARAHI, P.S- BEGAN
GOLA, DIST- BUXAR

... .. Petitioner/s

Versus

1. The Union Of India New Delhi
2. The State Of Bihar Bihar ,Patna

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 65214 of 2023

Arising Out of PS. Case No.-255 Year-2023 Thana- NAWANAGAR District- Buxar

Jay Bahadur Sah Son Of Sri Gopal Sah Village- Baruhan, P.S-. Bagen Gola,
District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 58128 of 2023)

For the Petitioner/s : Mr.Dhaneshwar Prasad Gupta

For the Opposite Party/s : Mr.Dr. Krishna Nandan Singh (A.S.G)

(In CRIMINAL MISCELLANEOUS No. 65214 of 2023)

For the Petitioner/s : Mr.Ranjeet Tiwary

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 13-10-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek regular bail in connection with
Nawa Nagar (Sonbarsa) P.S. Case No. 255 of 2023 registered
for the offence under Sections 8, 20(B)(ii)(B) of the N.D.P.S.
Act.



3. As per prosecution case, the petitioners are alleged to have apprehended on spot and police recovered 5.5 kg ganja from a motorcycle where the petitioners were present and 3.8 kg ganja like contraband substance near shop of one Shusil Kumar.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. It is also submitted that the petitioners have not concerned with the alleged recovery of Ganja like substance and the same is said to be total 5.5 kg which does not come under purview of commercial quantity as per the N.D.P.S. Act. Both the petitioners have got no criminal antecedent as stated in para-3 of their bail petition. It is further submitted that the petitioners are languishing in judicial custody since 3.7.2023.

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 period of the petitioners, this court is inclined to enlarge them on bail. The above named petitioners are directed to be released on bail **after framing of charge, if not framed** in connection with Nawanagar (Sonbarsa) P.S. Case No. 255 of



2023 on furnishing bail bond of Rs.10,000/- (ten thousand) each
with two sureties of the like amount each to the satisfaction of
learned District Judge-cum-Special Court N.D.P.S. Act, Buxar.

(Sunil Kumar Panwar, J)

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