

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63939 of 2023

Arising Out of PS. Case No.-336 Year-2023 Thana- KUCHAIKOTE District- Gopalganj

Babu Nand Yadav @ Vavunand Yadav S/O Late Shyamlal Yadav R/O Village-
Dalea, P.S- Kuchaikote, Distt.- Gopalganj, Bihar- 841428.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Upendra Yadav

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

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(c), 20(b) (2)(c) of the N.D.P.S. Act.

3. According to the FIR, the petitioner along with co-accused Sharda pandey are alleged to have apprehended from whose possession, one kg 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 01 kg which does not come under purview of commercial 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. He has got no criminal antecedent as stated in para-3 of the bail petition. It is further submitted that the petitioner is 73 years old age person who is 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 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 Kuchaikote P.S. Case No. 336 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, Gopalganj.

(Sunil Kumar Panwar, J)

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