

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68380 of 2022

Arising Out of PS. Case No.-70 Year-2022 Thana- HAYAGHAT District- Darbhanga

Md. Akhtaja Son Of Late Md. Dukha R/O Village- West Bilaspur, At Present-
Rustampur, P.S.- Hayaghat, District- Darbhanga

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Yadav

For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 20/22 of the N.D.P.S. Act.

The prosecution case, in brief, is that the informant along with police personnel raided the house of the petitioner and recovered 4 Kilogram ganja /Narcotic substance from his house.

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 and the place of seizure belong to joint house of the petitioner. Learned counsel



for the petitioner further submits that the small quantity of ganja starts from 1kg and the commercial quantity of ganja starts from 20kg whereas, the recovered ganja/narcotic substance was alleged to be 4kg which does not come under purview of commercial quantity as per the N.D.P.S. Act. The petitioner has got no criminal antecedent languishing in judicial custody since 30.5.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

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 Hayaghat P.S. Case No. 70 of 2022 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, Darbhanga.

(Sunil Kumar Panwar, J)

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