

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65212 of 2022

Arising Out of PS. Case No.-169 Year-2022 Thana- PURNEA SADAR District- Purnia

CHANDAN PANDIT Son of Late Shrawan Pandit Resident of Village-
Nageshwari Bag, Ward No.-38, P.S.- Sadar, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar

For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 21-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered for the offence punishable under sections 272, 273 of the Indian Penal Code, Section 8/20(b)(ii)(B) of the NDPS Act and Section 30(a) of the Bihar Prohibition and Excise Act.

Prosecution case relates to recovery of 15.480 litres of illicit liquor kept beneath the stair and 2.250 kg. Ganja from the house of the petitioner.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. The seizure list is manipulated by the police in connivance with the local Mukhiya as the petitioner has not supported the Mukhiya election. Police has not complied the



mandatory provision of Section 50 of the NDPS Act. Allegedly, recovery of 2.250 kg has to be shown from the house of the petitioner, which comes below the small quantity. The place of recovery is a joint family house. He has been falsely implicated in this case. Similarly situated other accused person has already been enlarged on regular bail by order dated 13.02.2023 passed in Cr. Misc. No. 46282 of 2022. He is languishing in judicial custody since 19.05.2022.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Judge NDPS Act, Purnea in connection with Sadar P.S. Case No. 169 of 2022 giving rise to Special NDPS Case no. 19 of 2022.

(Sunil Kumar Panwar, J)

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