

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70022 of 2023

Arising Out of PS. Case No.-444 Year-2023 Thana- GARKHA District- Saran

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KAMESHWAR SINGH @ KAMESHWAR KUMAR SINGH S/O LATE
RAJENDRA SINGH R/O UTTAR KADNA, P.O- MOHAMMADPUR, P.S-
GARKHA, DISTT.- SARAN, BIHAR- 841311.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandeep Kumar
: Mr. Abhijeet Abhigyan
For the Opposite Party/s : Mr. Anant Kumar I

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-11-2023 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 20, 21 of
the N.D.P.S. Act.

3. According to the prosecution case, the petitioner is
said to have been apprehended on spot from whose possession,
93 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 93gm which is much



lesser than small quantity as per N.D.P.S. Act. It is further submitted the provision of N.D.P.S. Act has not been followed by the prosecution. The petitioners has got no criminal antecedent as stated in para-3 of the bail petition and languishing in judicial custody since 24.7.2023.

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 Garkha P.S. Case No. 444 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 -cum-Special Judge, Saran.

(Sunil Kumar Panwar, J)

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