

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68526 of 2023

Arising Out of PS. Case No.-756 Year-2023 Thana- BIHTA District- Patna

SANDEEP KUMAR S/o Late Subhash Prasad R/o-Vishwambharpur, P.S.-
Bihta, District-Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary

For the Opposite Party/s : Mr.Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 20, 22 and 24 of the
N.D.P.S. Act.

3. As per prosecution case, one secret information
received that one person is selling Ganja thereafter, police party
reached at that place and on search there has been recovery of 5
Kg *Ganja* from the bag of the petitioner.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that the petitioner has no
concern with the seized Ganja. He submitted that seized Ganja
like substance does not come within the purview of commercial



quantity as per N.D.P.S. Act and the provision of Section 50 of the N.D.P.S. Act has not been followed in this case. He further submitted that petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 25.07.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail **after framing of charge, if not framed.** 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 Court concerned in connection with Bihta P.S. Case No. 756 of 2023.

(Sunil Kumar Panwar, J)

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