

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69200 of 2022

Arising Out of PS. Case No.-618 Year-2022 Thana- SITAMARHI District- Sitamarhi

SHAMBHU SAH @ SHAMBHU PRASAD @ SHAMBHU JI SON OF
LATE MAKHAN SAH R/O MOHALLA- FULMAT MAI ASTHAN, JANKI
ASTHAN, CHAKMAHILA, P.S.- SITAMARHI, DISTRICT- SITAMARHI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh

For the Opposite Party/s : Mr.Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 28-02-2023 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 8, 20(b)(ii)(B) of the
NDPS Act.

Prosecution case relates to recovery of 272 gram of
Ganja from the shop of the petitioner.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. Nothing has been recovered from conscious possession
of the petitioner. Police has not complied the mandatory
provision of Section 50 of the NDPS Act. Recovered quantity of
Ganja comes within the purview of smaller quantity. Petitioner



is languishing in judicial custody since 23.09.2022.

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

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, Sitamarhi in connection with Sitamarhi P.S. Case No. 618 of 2022.

(Sunil Kumar Panwar, J)

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