

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69142 of 2023

Arising Out of PS. Case No.-56 Year-2023 Thana- SIMRI District- Buxar

=====

KAMLESH YADAV son of Nandji Yadav Village- Rampur Mathiya Ps- Simri
Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Abhay Kumar Pandey

For the Opposite Party/s : Mr.Suman Kumari Singh

=====

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 filed the instant application

for grant of regular bail in a case registered for the offences

punishable under Sections 8, 20(b)(II)B, 22 of N.D.P.S. Act.

3. As per the allegation in F.I.R, 15 kg 150 grams

of Ganza like narcotics substance has been recovered from a

shop which is said to be owned by the petitioner.

4. It is submitted by learned counsel for the

petitioner that the petitioner is innocent and he has falsely

been implicated in the present case. The petitioner has no

concern with the alleged recovered contraband. Neither the



petitioner was apprehended on spot nor anything incriminating has been recovered from the conscious possession of the petitioner. It is also submitted that the said shop from which the alleged seizure has been made does not belong to the petitioner. The alleged recovered Ganza like narcotics substance is lesser than commercial quantity as per N.D.P.S. Act. Moreover, the petitioner is languishing in judicial custody since 31.07.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer for Bail.

6. Having heard learned counsel for the parties and taking into consideration 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 the charge is not framed**. The above named petitioner is directed to be enlarged on bail **after framing of charge, if the charge is not framed** in connection with Simri P.S. Case No. 56 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned District Judge-cum-



Special Court NDPS Act, Buxar.

(Sunil Kumar Panwar, J)

Nirajkrs/-

U		T	
---	--	---	--

