

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69354 of 2022

Arising Out of PS. Case No.-117 Year-2022 Thana- BALTHAR District- West Champaran

Vijay Shrivastava @ Vijay Shankar Lal S/O-Late Nagina Lal R/O Village-
Bhawra, P.S.- Balthar, Distt- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Balthar P.S. Case No. 117 of 2022 registered under sections 20 (b) (ii) (B), 23 (b), 29 of the Narcotic Drugs and the Psychotropic Substances Act.

Prosecution case relates to recovery of one mobile and 5.980 kg of Ganja like substance from the possession of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case merely on suspicion. It is further submitted that from para- 6 and 7 of this petition that the petitioner was coming back home from market after purchasing



medicine for his wife, in the meantime, during chase, he was apprehended on suspicion and the alleged ganja was not recovered from his conscious possession, whereas real culprits managed to flee away from the spot. The recovered ganja like substance does not come under the purview of commercial quantity as per N.D.P.S. Act. The petitioner has no concern with the recovered ganja. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. He is languishing in judicial custody since 21.09.2022.

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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Balthar P.S. Case No. 117 of 2022 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 Sessions Judge, West Champaran at Bettiah.

(Sunil Kumar Panwar, J)

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