

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75362 of 2023

Arising Out of PS. Case No.-305 Year-2023 Thana- SAHPUR District- Bhojpur

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Jai Prakash Pandey Son Of Kamalwash Pandey Residents Of Village -
Kanaili, Police Station - Shahpur, District - Bhojpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Madhuri Lata

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 29-11-2023 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 section 21(b) of NDPS Act.

Prosecution case relates to recovery of 40 gram Heroin
has been recovered from pocket of the petitioner.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He has been falsely implicated in this Case. No local
person was made as a witness of the seizure list rather seizure
list witnesses are police personnel. There is complete violation
of provision of Section 50 of the NDPS Act. The recovered
article comes below the commercial quantity. Petitioner is
languishing in judicial custody since 12.07.2023.



Learned APP appearing for the State has opposed the prayer of Bail.

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 **after framing of charge** 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 Sessions Judge, Bhojpur at Ara in connection with NDPS Case No. 21 of 2022 arising out of Shahpur PS Case No. 305 of 2023.

(Sunil Kumar Panwar, J)

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