

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79782 of 2023

Arising Out of PS. Case No.-218 Year-2023 Thana- LAUKAHA District- Madhubani

1. Amit Kumar Yadav S/O Hari Narayan Yadav R/O Village- Nahara, Rigaul, Ward No.-1, P.S- Lahan, Distt.- Sirha (NEPAL).
2. Gopal Kumar Purvey S/O Ram Bilash Purbe R/O Village- Lahan, Ward No.- 8, P.S- Lahan, Distt.- Sirha (NEPAL).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha

For the Opposite Party/s : Mr.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-12-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for grant of bail in connection with Laukaha (Lamaniya O.P.) P.S. Case No. 218 of 2023 registered under sections 22 and 23 of the NDPS Act.

Prosecution case relates to recovery of 30 bottles of Dialex-DC (each 100ML), some intoxicating injections along with some tablets and capsules from the possession of the petitioners.

Learned counsel for the petitioners submits that the petitioner are innocent and have committed no offence. They have falsely been implicated in this case. It is further submitted



that the recovered intoxicating material does not come within the purview of commercial quantity as per NDPS Act and also they have no concern with the seized contraband material. A statement has been made in para-3 of this petition that the petitioners have got no criminal antecedent. Moreover, they are languishing in judicial custody since 08.08.2023.

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 this case as well as the custody of the petitioners, the Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail **after framing of charge if the charge is not framed** in connection with Laukaha (Lalmaniya O.P.) P.S. Case No. 218 of 2023 on each of them 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, Madhubani.

(Sunil Kumar Panwar, J)

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