

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75447 of 2023

Arising Out of PS. Case No.-617 Year-2023 Thana- BHABHUA District- Kaimur (Bhabua)

DEEWAKAR PANDEY Son of Late Shatrudhan Pandey Resident of village -
Ward No.- 19 Purana Thana, P.S.- Bhabhua, District - Bhabhua.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Union of India through N.D.P.S. New Delhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kiran Kumari Sharma
For the Opposite Party/s : Mr.Sanjay Kumar Singh

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 sections 8(C), 21(b), 22, 27(A),
29 of the NDPS Act.

Prosecution case relates to recovery of 1.8 gram heroin
from possession 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. There is
complete violation of provision of Section 50 of the NDPS Act.
There is no FSL report to confirm that the seized article is
contraband material. The recovered article comes below the



commercial quantity. Petitioner has got no criminal antecedent and languishing in judicial custody since 8.7.2023.

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 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-cum-Special Judge, Kaimur at Bhabhua in connection with Bhabhua P.S. Case No. 617 of 2023.

(Sunil Kumar Panwar, J)

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