

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74054 of 2022

Arising Out of PS. Case No.-251 Year-2022 Thana- BAISI District- Purnia

Md. Asif @ Asif Son Of Late Md. Salim Resident Of Village- Narkatiyaganj,
P.S.- Narkatiyaganj, District- West Champaran At Bettiah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agarwal, Sr. Adv Mr.Dr. Bidhu Ranjan Mr. Kumar Rajdeep Mr. Arvind Kumar
For the Opposite Party/s :		Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 22-03-2023 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 Baisi P.S. Case No. 251 of 2022 registered under sections 8, 20(b)(ii)(B) of the N.D.P.S. Act.

Prosecution case relates to recovery of 4.5 kilogram of ganja like substance, kept in a bag, from the bus.

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. The alleged bag was not found from the conscious possession of the



petitioner and it was kept inside the bag. He has no concern with the alleged ganja like substance. It is further submitted that the recovered ganja does not come under the purview of commercial quantity as per N.D.P.S. Act. 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 19.06.2022.

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 as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Baisi P.S. Case No. 251 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 5th Additional Sessions Judge, Purnea.

(Sunil Kumar Panwar, J)

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