

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77106 of 2023

Arising Out of PS. Case No.-128 Year-2023 Thana- SURSAND District- Sitamarhi

Lal Babu Sah @ Kalicharan Sah @ Kali Charan S/O Late Sita Ram Sah R/V-
Sursand, Ward No. 2, Ps. Sursand, Distt. Sitamarhi

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha

For the Opposite Party/s : Mr.Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 04-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 8, 20(b)(ii) (B) of the N.D.P.S. Act.

3. According to the prosecution case, there is recovery of 1.6kg ganja like narcotic substance from the house of the petitioner who said to have fled away from the place of occurrence.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner has no concern with the alleged recovery of ganja like narcotic substance and the same is alleged to be 1.6 kg which does not



come under purview of commercial quantity as per N.D.P.S. Act. It is further submitted the provision of N.D.P.S. Act has not been followed by the prosecution. It is further submitted that the petitioner is languishing in judicial custody since 12.9.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge him on bail. The above named petitioner is directed to be released on bail in connection with Sursand P.S. Case No. 128 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-Cum-Special Judge, N.D.P.S. Act, Sitmarhi.

(Sunil Kumar Panwar, J)

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