

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80372 of 2023

Arising Out of PS. Case No.-223 Year-2023 Thana- JOGBANI District- Araria

MANOJ YADAV Son of Narayan Yadav Resident of Amauna, Ward No.- 21,
P.S.- Jogbani, District - Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Choubey

For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-12-2023 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 17, 18 & 22 of the N.D.P.S. Act.

3. As per prosecution case, the petitioner and co-accused Sarvan Yadav are said to have been apprehended by police and from possession of this petitioner, 100 gram smack like contraband substance was recovered.

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 smack like narcotic substance and the same is alleged to be 100 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.PS. Act has not been followed by the prosecution. petitioner is languishing in judicial custody since 21.8.2023.

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 **after framing of charge, if not framed** in connection with Jogbani P.S. Case No. 223 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 Special Judge, NDPS Act, Araria.

(Sunil Kumar Panwar, J)

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