

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79771 of 2023

Arising Out of PS. Case No.-379 Year-2023 Thana- NAWANAGAR District- Buxar

Vinod Kumar Sah @ Binod Kumar Sah @ Maini Sah Son Of Pyarchand Sah
@ Piyare Chandra Sah R/O Village- Giridhar Baraon, P.S.- Nawanagar
(Sonbarsa O.P.), Dist.- Buxar

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-12-2023 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 section 8/20(b)(ii)(A) of the NDPS Act.

3. As per FIR, prosecution case relates to recovery of 180 gram ganja from the shop of the petitioner and he was also apprehended on the spot.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this present case. The petitioner has no concern with the alleged recovery and Section 42 and Section 50 of the NDPS has not been complied properly while preparing the seizure list. No



any incriminating article has been recovered from conscious possession of the petitioner rather the recovered ganja like substance does not come within the purview of commercial quantity. It is further submitted that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 05.10.2023.

5. Learned APP appearing for the State has vehemently opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as judicial custody, this court is inclined to enlarge the petitioner on bail **after framing of bail, if not framed**. The above named petitioner is directed to be released on bail in connection with Nawanagar Sonbarsa OP P.S. Case No. 379 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 NDPS Act, Buxar.

(Sunil Kumar Panwar, J)

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