

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4746 of 2024

Arising Out of PS. Case No.-203 Year-2023 Thana- ISHAKCHAK District- Bhagalpur

Md Jishan Khan Son Of Md Gulzar Khan Resident Of Mohalla - Bhikhanpur
Gumti No.3 Hatia Chouk, P.S. - Ishakchak, District - Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh
For the Opposite Party/s : Mr. Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-02-2024 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 21(i)(c)/22 of the NDPS Act.

3. Prosecution case relates to recovery of 183 grams of brown sugar like intoxicating substance along with some cash from the possession of this petitioner.

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 recovered brown sugar like intoxicating substance does not come within the purview of commercial quantity as per NDPS Act. A statement has been made in para-3 of this petition that the petitioner has got no



criminal antecedent. Moreover, he is languishing in judicial custody since 16.10.2023.

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 the petitioner on bail. The above named petitioner is directed to be released on bail **after framing of charge if the charge is not framed** in connection with Ishakchak P.S. Case No. 203 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, Bhagalpur.

(Sunil Kumar Panwar, J)

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