

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14230 of 2024

Arising Out of PS. Case No.-515 Year-2023 Thana- KONCH District- Gaya

Binod Vishwakarma, Male, aged about 39 years, Son of Ramadhar Mistri,
Resident of Village- Kanandi P.S.- Konch District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Advocate

For the Opposite Party/s : Mr. Anish Chandra, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 04-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Konch
PS Case No. 515 of 2023 instituted for the offences punishable
under Sections 20 and 22 of the Narcotic Drugs and
Psychotropic Substance Act, 1985.

3. As per the prosecution case, total 350 gram of
Ganja has been recovered from the possession of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence and has
falsely been implicated in this case. Petitioner is named in the
FIR and nothing incriminating articles have been recovered
from the conscious possession of the petitioner. Petitioner is in
custody since 04.11.2023

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR, case diary, seizure list and



impugned order of the learned Sessions Judge-cum-Special Judge, NDPS Act, Gaya dated 16.12.2023, it appears that petitioner is named in the FIR. There is no any independent witness of the seizure list and recovered *Ganja* is very small in quantity and not falling under commercial purpose, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail *after framing of charge* on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge, NDPS Act, Gaya in connection with Konch PS Case No. 515 of 2023.

7. The trial Court is directed to conclude the proceeding of framing of charge according to law within a period of 15 (fifteen days) from the date of receipt of a copy of this order. However, it is made clear that *if the charge-sheet has not been submitted* then the petitioner shall be released on bail on above conditions and he shall be present physically on each and every date before the Trial Court till conclusion of the proceeding of framing of charge.

(Ramesh Chand Malviya, J)

Anand Kr.

U		T	
---	--	---	--

