

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26441 of 2024

Arising Out of PS. Case No.-10 Year-2024 Thana- MURAR District- Buxar

Vinod Kumar Singh @ Binod Singh S/o- Late Ramashish Singh R/o Vill- Shivpur, P.S.- Nawanagar, Dist- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Gupta
For the Opposite Party/s : Mr.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 09-04-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Murar P.S. Case No. 10 of 2024 instituted for the offences punishable under Sections 20(B)IIA and 27(a) of the N.D.P.S. Act and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act.

3. As per the prosecution case, total 196 gm 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. He further submits that the said *Ganja* is recovered in a small quantity which is less than



commercial quantity. It is also submitted that similarly situated co-accused person has already been granted bail by this Court through Cr. Misc. No.25456 of 2024 on 04.04.2024. Petitioner has got no criminal antecedent as stated in para 3 of the petition and is in custody since 24.02.2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR, seizure list and the impugned order of the learned District and Sessions Judge-cum-Special Judge N.D.P.S. Act, Buxar dated 12.03.2024, it appears that the seized articles have been recovered from the possession of the petitioner and recovery of Ganja falls under small quantity which is less than commercial quantity as well as there is no any independent witness of the seizure list, 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 District and Sessions Judge-cum-Special Judge, N.D.P.S. Act, Buxar in connection with Murar P.S. Case No. 10 of 2024.

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)

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