

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32093 of 2024

Arising Out of PS. Case No.-333 Year-2023 Thana- SITAMARHI District- Sitamarhi

Ayush Kumar @ Suraj Kumar @ Suraj SON OF Umesh Prasad Resident of
village- Dronpur @ Draupur Belahiya, P.S.- Ahiyapur, Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mr.Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 02-05-2024 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
8/20(b)(ii)(B) of the NDPS Act.

3. Prosecution case relates to recovery of 500
grams of *Charas* like narcotics substance from the
possession of co-accused Prabhu Bhagat and Mayank
Bhagat. The petitioner is alleged to have fled away from
the place of seizure.

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 was not apprehended from the spot nor anything has been recovered from the conscious possession of the petitioner. The petitioner has no concern either with the seized contraband or the apprehended accused persons. The recovered *Charas* like substance from the possession of the accused does not come within the purview of commercial quantity as per NDPS Act. The petitioner is languishing in judicial custody since 18.01.2024.

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 in connection with Sitamarhi P.S. Case No. 333 of 2023 on furnishing bail bond of Rs.10,000/- (Ten Thousands) with two



sureties of the like amount each to the satisfaction of
learned Special Judge, Sitamarhi.

(Sunil Kumar Panwar, J)

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