

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32143 of 2024

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

Md. Ashif Khan Son Of Late Manjoor Khan Resident Of Mohalla -
Bhikhanpur, Gomti No. 3, Hatia Chowk, P.S. - Ishakchak, District -
Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Syed Maslehuddin Ashraf

For the Opposite Party/s : Mr.Binod 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

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

and co-accused Md. Jishan Khan.

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. The charges has already been framed against the petitioner. A statement has been made in para-3 of this petition that there is one other case pending against the petitioner apart from the present one. The petitioner is languishing in judicial custody since 16.10.2023. Moreover, other similarly situated co-accused has already been granted bail vide order dated 09.02.2024 passed in Cr. Misc. No. 4746 of 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 Ishakchak P.S. Case No. 203 of 2023 (N.D.P.S



Case No. 123 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 Additional Sessions Judge-I-cum-Special Judge (Drugs and Cosmetics Act), Bhagalpur.

(Sunil Kumar Panwar, J)

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