

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47177 of 2023

Arising Out of PS. Case No.-39 Year-2023 Thana- DUMARIYA District- Gaya

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Ramashish Singh Son Of Late Puchu Singh Village- Chakarbandha Tola
Tarchuan Ps- Chakarbandha Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar No2

For the Opposite Party/s : Mr.Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 10-01-2024 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 18, 20 and 22 of the NDPS Act.

3. Prosecution case relates to recovery of 600 grams of afeem(opium) like intoxicating substance from the possession of the 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. Nothing has been recovered from the conscious possession of the petitioner and also he has no concern with the seized contraband. The recovered opium(afeem) 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 29.04.2023.

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 Dumaria P.S. Case No. 39 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, Gaya-cum-Special Judge, NDPS Act.

(Sunil Kumar Panwar, J)

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