

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58103 of 2023

Arising Out of PS. Case No.-148 Year-2023 Thana- BASOPATTI District- Madhubani

SUJIT KUMAR @ SUJIT KUMAR CHAURASIYA Son of Lambodar
Kumar Chaurasiya @ Lambodar Prasad R/o vill - Shreepur Haati, P.S. -
Pandauly, distt. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 18-01-2024 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 8, 21, 22 of
the N.D.P.S. Act.

3. According to the prosecution case, the petitioner
was apprehended on spot with a *scooty* from where, 15 kg of
incriminating ganja like substance was recovered. Other co-
accused persons fled away.

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 has no
concern with the alleged recovery of ganja like narcotic



substance and the same is alleged to be 15 kg which does not come under purview of commercial quantity as per N.D.P.S. Act. It is further submitted the provision of N.D.P.S. Act has not been followed by the prosecution. He has got no criminal antecedent as stated in para-3 of the bail petition and languishing in judicial custody since 26.6.2023.

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 period, 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 not framed** in connection with Basopatti P.S. Case No. 148 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, Madhubani.

(Sunil Kumar Panwar, J)

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