

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56677 of 2023

Arising Out of PS. Case No.-63 Year-2023 Thana- KOCHADHAMAN District- Kishanganj

Parvans Gaur @ Paramhans Gaur S/O Late Bhrigunath Gaur R/O Village-
Belwa Bazar, Ps. Mahuadih, Dist. Devariya (U.P)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Abdul Mannan Khan
		Mr. Avinava Kumar
		Mr. Hafiz Shahbaz Arif
For the Opposite Party/s :		Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 24-01-2024 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, 20(b)(ii) B, 22, 23 and 29 of the N.D.P.S. Act.

3. It is a case of recovery of total 11 Kg. 690 gram ganja like 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. Petitioner has no concern with the alleged recovery and recovered ganja like substance does not come within the purview of commercial quantity. It is further submitted that the provision of N.D.P.S. Act has not been



followed properly at the time of preparing the seizure list. Petitioner has got no criminal antecedent and languishing in judicial custody since 01.03.2023.

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 period of custody of the petitioner, this court is inclined to enlarge the petitioner on bail **after framing of charge**. The above named petitioner is directed to be released on bail in connection with Kochadhaman P.S. Case No. 63 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-cum-Special Judge (N.D.P.S. Act), Kishanganj.

(Sunil Kumar Panwar, J)

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