

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69594 of 2023

Arising Out of PS. Case No.-145 Year-2023 Thana- JOGBANI District- Araria

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Dhiraj Yadav @ Dheeraj Yadav S/O- Late Ramesh Yadav R/O- Village-
Tilkuliya Basti, Ward No.- 3 P.S.- Jogbani, Dist.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar

For the Opposite Party/s : Mr.Satyendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 23-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 17, 18, 21 and 22 of the
N.D.P.S. Act.

3. As per prosecution case, the petitioner and her
mother were apprehended on the spot and search was conducted
in their house during search 18 gram brown sugar, 109 bottles
Codeine like Dialex DC each bottle of 100 ml, 540 Spasmo
Proxyvon Plus tablets, 557 tablets of Nitrazepam IP Tablets and
Nitratvet-10 along with cash Rs. 7241/- and Rs. 66,880 Nepali
Cash were recovered.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. He submitted that the petitioner has no



concern with the seized articles. He submitted that seized brown sugar like substance, Codeine like cough syrup and other tablets does not come within the purview of commercial quantity as per N.D.P.S. Act. Similarly situated co-accused has already been granted bail by this Court vide order dated 20.12.2023 passed in Cr. Misc. No. 63184 of 2023. Moreover, the petitioner is languishing in judicial custody since 07.06.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail **after framing of charge, if not framed**. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge, NDPS, Araria in connection with Jogbani P.S. Case No. 145 of 2023.

(Sunil Kumar Panwar, J)

Manishkumar/-

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