

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71737 of 2023

Arising Out of PS. Case No.-243 Year-2023 Thana- SONBERSA District- Sitamarhi

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RAMVISHWASH KUMAR Son of Baidhnath Sah @ Badhnath Sah R/o vill -
Kachharipur, P.S. - Sonbarsa, Distt. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 31-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 20(i)(b) of NDPS Act.

3. Prosecution case relates to recovery of 57 bottles of codine cough syrup each containing 100 ml. And 10 pieces of trama Dol Injection of 1 ml each from motorcycle of the petitioner and he was arrested on spot by police.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this Case. No local person was made as a witness of the seizure list rather seizure list witnesses are police personnel. There is



complete violation of provision of Section 50 of the NDPS Act. In 5700 ml. Cough syrup total quantity of codine is 57 grams which comes below the commercial quantity. Petitioner has got no criminal antecedent and languishing in judicial custody since 2.8.2023.

5. Learned APP appearing for the State has opposed the prayer of Bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail **after framing of charge** 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 Spl Judge-cum-Sessions Judge, Sitamarhi in connection with Sonbarsa P.S. Case No. 243 of 2023.

(Sunil Kumar Panwar, J)

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