

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78259 of 2023

Arising Out of PS. Case No.-195 Year-2023 Thana- KHUSRUPUR District- Patna

Nitish Kumar Son Of Meghan Rai Resident Of Village - Naya Tola Sabnima,
P.S. - Athmalgola, District - Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aditya Nath Pandey
For the Opposite Party/s : Mr.Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 29-02-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application
for grant of regular bail in a case registered for the
offences punishable under Section 20(ii)(b) of N.D.P.S.
Act.

As per the allegation in F.I.R, 10.5 kg of Ganja
like narcotics substance has been recovered from the a
pickup van bearing Reg. No. BR-01GA-5502, which is
alleged to be driven by the petitioner.

It is submitted by learned counsel for the
petitioner that the petitioner is innocent and he has



falsely been implicated in the present case. The petitioner has no concern with the alleged recovered contraband. The alleged recovered Ganza like narcotics substance is lesser than commercial quantity as per N.D.P.S. Act. There is no independent witness of the alleged seizure. Moreover, the petitioner is languishing in judicial custody since 19.05.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, 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, if not framed**, in connection with Khusrupur P.S. Case No. 195 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten



thousand) with two sureties of the like amount each to
the satisfaction of the learned Additional District &
Sessions Judge IV, Patna.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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