

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82966 of 2023

Arising Out of PS. Case No.-54 Year-2023 Thana- KANGLI District- West Champaran

SAHIM MIYA SON OF MUNAF MIYA R/O VILLAGE- SONBARSA, P.S.-
PATHARIYA, DISTRICT- PARSA, NEPAL

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prashant Kumar

For the Opposite Party/s : Mr. Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 19-03-2024 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 20, 22, 23, 24, 27 of the N.D.P.S. Act.

3. The petitioner is accused of possessing 6.5 kg of ganja-like substance and the same was recovered by the police after his arrest.

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 i.e. 6.5 kg and the same does not come under purview of commercial quantity according to N.D.P.S. Act. It is also submitted that the police



party has not followed the mandatory provision of Cr.P.C. while preparing the seizure list. Learned counsel also submitted that the charge has already been framed against the petitioner. The petitioner has got no criminal antecedent as stated para-3 of the bail petition and he is languishing in judicial custody since 30.8.2023.

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 in connection with Kangli P.S. Case No. 54 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 District and Sessions Judge, West Champaran at Bettiah.

(Sunil Kumar Panwar, J)

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