

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84488 of 2023

Arising Out of PS. Case No.-247 Year-2023 Thana- SHAMBHUGANJ District- Banka

1. Pinki Devi Wife Of Late Mukesh Roy Resident Of Village - Chhatrahar, Police Station - Shambhuganj, District - Banka
2. Siwam Rai @ Shivam Roy Son Of Sujit Rai Resident Of Village - Chhatrahar, Police Station - Shambhuganj, District - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee
For the Opposite Party/s : Mr.Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-01-2024 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for grant of bail in connection with Shambhuganj P.S. Case No. 247 of 2023 registered under sections 8/20(b) (II), (B) 25 and 29 of the NDPS Act.

Prosecution case relates to recovery of total 7.249 kg of ganja from the possession of these petitioners.

Learned counsel for the petitioners submits that the petitioner are innocent and have committed no offence. They have falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioners and



also they have no concern with the seized ganja like intoxicating substance. The recovered ganja does not come within the purview of commercial quantity as per NDPS Act. Moreover, they are languishing in judicial custody since 13.09.2023.

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

Having heard learned counsel for the parties and considering the facts and circumstances of this case as well as the custody of the petitioners, the Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail **after framing of charge if the charge is not not framed** in connection with Shambhuganj P.S. Case No. 247 of 2023 on each of them furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge-cum-Special Judge (NDPS Act), Banka.

(Sunil Kumar Panwar, J)

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