

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.346 of 2024

Arising Out of PS. Case No.-289 Year-2023 Thana- SAMASTIPUR District- Samastipur

Jibachh Kumar Son Of Late Shyam Sundar Sah R/O Village- Pethiya Gachhi,
P.S.- Town, District- Samastipur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar

For the Opposite Party/s : Mr.Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-01-2024 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 8/20 (A)(i) of NDPS Act.

3. Prosecution case relates to recovery of 400 gram Ganja like substance from the shop of Maa Durga Pan Bhandar, which is owned by the petitioner.

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. Petitioner has no concern with the said betel shop, rather in absence of his owner, he was looking that shop in part time. There is complete violation of provision of Section 50 of the



NDPS Act. The recovered article comes below the commercial quantity. Petitioner has got no criminal antecedent and languishing in judicial custody since 29.10.2023.

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 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 District and Sessions Judge, Samastipur in connection with Samastipur (Town) P.S. Case No. 289 of 2023.

(Sunil Kumar Panwar, J)

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