

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83947 of 2023

Arising Out of PS. Case No.-880 Year-2023 Thana- BARACHATTI District- Gaya

Keshar Yadav son of Rohan Yadav Village- Dharahara Ps- Mohanpur Dist-
Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Singh

For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-01-2024 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 18, 20 and 22 of the NDPS Act.

3. As per allegation in the FIR, on getting secret information police party proceeded towards place of occurrence, and apprehended two accused persons including the petitioner. On search, 1 kg. 900 gram doda powder was recovered.

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. There is no FSL report to confirm that the seized article is contraband material. The recovered article comes below the commercial quantity. Petitioner has got no criminal antecedent and languishing in judicial custody since 22.09.2023.

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 **after framing of charge**. 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 Sessions Judge-cum-Special Judge, NDPS, Gaya in connection with Barachatti P.S. Case No. 880 of 2023.

(Sunil Kumar Panwar, J)

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