

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84207 of 2023

Arising Out of PS. Case No.-26 Year-2023 Thana- JOGBANI District- Araria

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Raja Sah Son Of Umesh Sah @ Umesh Prasad Sah R/O Village- Tikuliya
Basti, Ward No. 03, P.S.- Jogbani, Dist.- Araria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kishore Bharti

For the Opposite Party/s : Mr.Md. Shakir Ahmad

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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 regular bail in a case registered for the offence punishable under sections 21 and 22 of the NDPS Act.

3. Prosecution case relates to recovery of some psychotropic drugs and injections which were being sold by this petitioner.

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. It is further submitted from para-12 of this petition that the recovered medicines, capsules along with injections does not come within the purview of commercial quantity as per NDPS Act. Moreover, the petitioner



is languishing in judicial custody since 16.05.2023.

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 of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail **after framing of charge if the charge is not framed** in connection with Jogbani P.S. Case No. 26 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 Sessions Judge cum Special Judge NDPS Act, Araria.

(Sunil Kumar Panwar, J)

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