

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84486 of 2023

Arising Out of PS. Case No.-121 Year-2023 Thana- SRINAGAR District- West Champaran

Amzad Khan @ Amjad Khan S/O Late Mansur Khan R/O Village- Pujawa,
Patjirwa, P.S.- Srinagar, Dist.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-01-2024 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 20(b)(ii), 23(b) and 29 of the NDPS Act.

3. Prosecution case relates to recovery of 1.770 kg of ganja like intoxicating substance from the possession of the 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. Nothing has been recovered from the conscious possession of the petitioner and also he has no concern with the seized contraband. The recovered ganja like substance does not come within the purview of commercial



quantity as per NDPS Act. Moreover, the petitioner is languishing in judicial custody since 16.09.2023.

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 Srinagar P.S. Case No. 121 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, Bettiah, West Champaran.

(Sunil Kumar Panwar, J)

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