

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85432 of 2023

Arising Out of PS. Case No.-723 Year-2023 Thana- SITAMARHI District- Sitamarhi

Ishtikhar Ansari @ Ishtkhar Ansari, Son Of Wasir Ansari @ Basir Ansari,
Resident Of Village- Nakardei, P.S.- Nakardei, Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mohd Rustam Hussain, Advocate

For the Opposite Party/s : Mr.Umanath Mishra, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 03-07-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sitamarhi P.S. Case No. 723 of 2023 dated 17.09.2023 registered for the offences punishable under Section 21(C) of the N.D.P.S. Act.

3. As per the prosecution case, total 200 gms Cocaine was recovered from the possession of the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. Both the seizure list witnesses are the police personnel which is a complete violation of Section 100 of Cr.P.C. Vide letter no. 1360 dated 19.06.2024 of the S.P., Sitamarhi, F.S.L.



report of the seized contraband has been received and as per F.S.L. report, the seized contraband is heroin and it is less than commercial quantity. The petitioner has a clean antecedent as stated in para 3 of the bail petition. The petitioner is languishing in judicial custody since 18.09.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Sitamarhi in connection with Sitamarhi P.S. Case No. 723 of 2023, with a condition:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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