

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85973 of 2023

Arising Out of PS. Case No.-328 Year-2023 Thana- RAGHOPUR District- Supaul

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Md Ayub Ansari @ Aiyub Ansari Isha Sk Alias Esha Mistri Alias Isha Shekh
R/o Village- Mosimpur, P.S.- Kaliachak, District- Maldah (West Bengal)
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kumar Rajdeep

For the Opposite Party/s : Mr.Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-01-2024 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 8(c), 21(c), 29 of the N.D.P.S Act.

There is recovery of 104 grams of *brown sugar*

from the possession of the petitioner.

It is submitted by learned counsel for the

petitioner that petitioner is innocent and he has falsely

been implicated in this case. Nothing has been recovered

from the conscious possession of the petitioner. The

petitioner has no concern with the seized *brown sugar*.

The recovered contraband does not come within the



purview of commercial quantity. The petitioner is languishing in custody since 07.09.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail **after framing of charge, if the charge has still not been framed** and on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, N.D.P.S, Supaul in connection with N.D.P.S Case No. 45 of 2023, arising out of Raghopur P.S. Case No. 328 of 2023.

(Sunil Kumar Panwar, J)

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