

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8019 of 2024

Arising Out of PS. Case No.-105 Year-2023 Thana- SAHODARA District- West Champaran

Anand Kishor Kumar S/O Hansnarayan Prasad @ Harsh Narayan Prasad
Village- Dewad, Ps. Sahodara, Dist. West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Kant

For the Opposite Party/s : Mr.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-02-2024 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, 20(b)(ii)(b), 8, 20(b)(ii)(C) of the N.D.P.S. Act.

There is recovery of 15 Kgs of *Ganja* from a Bolero vehicle which was driven by 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 had no knowledge about Ganjay being carried as one Nabulaish Ansari, a resident of the neighbouring village of the petitioner took lift from the petitioner and he had carried the alleged Ganja without consent and knowledge of the petitioner. Moreover, the seized contraband does not come within the purview of commercial quantity. The petitioner is languishing in custody since 19.08.2023. 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, West Champaran, Bettiah in
connection with Sahodara P.S. Case No. 105 of 2023.

(Sunil Kumar Panwar, J)

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