

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87476 of 2024

Arising Out of PS. Case No.-138 Year-2024 Thana- THAKURGANJ District- Kishanganj

1. Partho Biswas @ Partha Biswas S/O Jhantu Biswas Resident of village - Chandikuti, P.S - Sahebganj, Dist- Kooch Bihar (W.B)
2. Dipankar Biswas S/O Suryakant Biswas @ Suryamohan Biswas Resident of village - Chandikuti, P.S - Sahebganj, Dist- Kooch Bihar (W.B)

... .. Petitioner/s

Versus

The State of Bihar Resident of Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar, Advocate

For the Opposite Party/s : Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

5 21-03-2025 Heard Mr. Raj Kumar, learned counsel for the petitioners and Mr. Amitesh Kumar, learned APP for the State.

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under Sections 20(b)(ii), 29 of NDPS Act.

3. The case of the prosecution is that from the possession of one of the petitioner namely, Partho Biswas, altogether 2.723 kg of *ganja* was recovered. Nothing was recovered from petitioner No. 2 namely, Dipankar Biswas.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. They have got no



criminal antecedent. It is also submitted that the seizure list does not bear the signature of the petitioners. It has also been submitted that though the amount of contraband which has been seized from the possession of this petitioner is more than small quantity but is much less than commercial quantity. It is further submitted that the petitioners are languishing in judicial custody since 01.10.2024.

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, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Thakurganj P.S. Case No. 138 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge (NDPS), Kishanganj.

(Ashok Kumar Pandey, J)

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