

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 49222 of 2016

Arising Out of PS.Case No. -197 Year- 2016 Thana -BIHIYA District- BHOJPUR

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Gopal Sah son of Dular Sah resident of Village- Teghra, P.S.- Bihiya,
District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Union of India.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajiva Ranjan

For the Opposite Party/s : Mr. Anand Kishore Choudhary

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 22-12-2016 Heard Sri Rajiva Ranjan, learned counsel for the
petitioner and Sri Anand Kishore Choudhary, learned Addl. Public
Prosecutor.

The sole petitioner, who is in custody since
28-07-2016 in Bihiya P.S. Case No. 197 of 2016, corresponding to
N.D.P.S. Case No. 15 of 2016, registered for offence under
Sections 8(c) and 21 of the Narcotic Drugs & Psychotropic
Substances Act, 1985, has prayed for grant of bail.

By way of referring to statement made in paragraph –
3 of the petition, it was submitted by learned counsel for the
petitioner that petitioner is having clean antecedent and recovered
substance is said to be Brown Sugar weighing about 4 ½ gram
which is much lesser than the smaller quantity. He has also argued



that there is no report to suggest that the recovered substance was Brown Sugar.

Learned Addl. Public Prosecutor has opposed the prayer for bail, however; he does not dispute the fact regarding the weight of the recovered substance.

Considering the fact that the recovered so called Brown Sugar was lesser than the smaller quantity, clean antecedent of the petitioner as well as period of custody, let the petitioner namely Gopal Sah be enlarged on bail on furnishing bail-bond of **Rs. 10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Bhojpur, Ara in connection with N.D.P.S. Case No. 15 of 2016, arising out of Bihiya P.S. Case No. 197 of 2016.

(Rakesh Kumar, J.)

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