

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39389 of 2019**

Arising Out of PS. Case No.-46 Year-2019 Thana- ISHAKCHAK District- Bhagalpur

ROHIT KUMAR Son of Late Vijay Prasad Singh @ Late Vijay Singh @ Late
Vijay Prakash Singh Resident of Village- Sarkatiya, P.S.- Sangrampur,
District- Munger.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Ram Sumiran Rai

**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER**

3 20-08-2019 Heard learned counsel for the petitioner and the
State.

The petitioner seeks bail in **Ishakchak P.S. Case No. 46 of 2019 (NDPS Case No. 3 of 2019)**, instituted for the offence under Section(s) 20 and 21 of N.D.P.S. Act.

It is alleged in the written report that Police got information that co-accused Rohit Kumar and Nishant Choudhary are residing in the house of Chandra Shekhar Jha on rent. They used to use and sell opium and smack with their friends. The informant along with police personnel reached there and found four persons including petitioner sleeping in a room. They tried to run away, but they were apprehended by the police. They disclosed their names as Nishant Choudhary, Rohit



Kumar, Mithilesh Ranjan and Pranav Rai @ Putush Kumar (petitioner). On search, 10.36 grams of opium has been recovered from possession of the petitioner.

Counsel for the petitioner submits that recovery of 10.36 grams opium is less than small quantity as prescribed under the Act. The 25 grams of opium comes under small quantity. He further submits that co-accused Mithilesh Ranjan @ Mithlesh Ranjan has already been granted bail by this Court vide order dated 2.7.2019 passed in Cr. Misc. 39547 of 2019.

Petitioner is in custody since 20.3.2019.

Considering the aforesaid facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner above named, be released 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, Bhagalpur**, in connection with **Ishakchak P.S. Case No. 46 of 2019 (NDPS Case No. 3 of 2019)**, subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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