

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31424 of 2020

Arising Out of PS. Case No.-231 Year-2020 Thana- GOPALGANJ TOWN District-
Gopalganj

=====

Abhisek Sharma, aged about 22 years, male, S/o Dudhnath Sharama, Resident
of Village-Shadhu Chouk Sareya, Ward no.3, P.S.-Gopalganj, District-
Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harendra Prasad, Adv.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

2 03-12-2020 Heard Mr. Harendra Prasad, learned counsel for

the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with
Gopalganj Town P.S. Case No. 231 of 2020 (Trial No.
08/2020), dated 24.04.2020, instituted for the offences
under Sections 8(c) and 21(a) of the Narcotic Drugs and
Psychotropic Substances Act, 1985 (*in short the Act*).



It appears that from the possession of the petitioner, 3.810 grams of narcotics (*heroin*) have been recovered.

Learned counsel for the petitioner has submitted that the manner in which the recovery has been made as also the quantity which is shown to have been recovered from the petitioner, entitles him to bail, especially in view of the fact that he has clean antecedents and is in custody since 25.04.2020.

The recovery of the narcotics (*heroin*) is of 3.810 grams quantity, whereas the minimum quantity is stated to be 5 grams in the Act.

Regard being had to the fact that the petitioner has clean antecedent, his period of custody and the recovery of small quantity of narcotics, he is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Addl. District and Sessions Judge, Gopalganj in connection with Gopalganj Town P.S. Case No. 231 of 2020 (Trial No. 08/2020).



It is, however, made clear that the petitioner shall participate in the trial and shall not run away from the trial proceedings under any circumstance whatsoever. In case, he does so, his bail would be liable to be cancelled.

(Ashutosh Kumar, J)

Praveen-II/-

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