

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12410 of 2022

Arising Out of PS. Case No.-99 Year-2021 Thana- DHANGAI District- Bhojpur

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TRILOKI SAH S/o Late Rajendra Sah R/o village- Hetanpur, P.S.- Tiwar,
District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gopal Krishna

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 13-06-2022 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State.

Let the defect(s), if any, be removed within two
weeks of the complete start of the physical Court in normal
course.

The petitioner seeks regular bail in connection with
N.D.P.S. Case No. 28 of 2021 arising out of Dhangai P.S. Case
No. 99 of 2021 for the offence punishable under Section 20/22
of the N.D.P.S. Act.

As per the allegation made in the F.I.R., 240 grams of
ganja like substance was recovered from the Gumti of co-
accused Suraj Chaudhary. The petitioner was apprehended while
he was standing outside the said Gumti. He is said to be
involved in trade of ganja.



Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. He further submits that total recovery of ganja is 240 grams which is much less than the small quantity. Nothing has been recovered from conscious possession of the petitioner rather the recovery has been made from Gumti of one co-accused Suraj Chaudhary. Petitioner is in custody since 05.12.2021.

Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

Considering the nature of allegation made against the petitioner, it appears that nothing has been recovered from the conscious possession of the petitioner rather the recovery has been made from the Gumti of one co-accused Suraj Chaudhary and the total recovery of ganja is less than the small quantity and the petitioner is in custody since 05.12.2021, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Ara at Bhojpur in connection with N.D.P.S. Case No. 28 of 2021 arising out of Dhangai P.S. Case No. 99 of 2021, subject to the following conditions:-



(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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