

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43709 of 2021**

Arising Out of PS. Case No.-4 Year-2020 Thana- GAYA RAIL P.S. District- Gaya

GANPATI KUMAR Son of Late Deo Sharan Prasad @ Deo Sharan Yadav
Resident of Village - Maila Khap Chhotki Nawada, P.S.- Delha, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Ritika Rani

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

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

3 04-01-2022 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner seeks bail in connection with Rail PS Gaya Case no. 04 of 2020 registered for the offence punishable under sections 8/20(b) (ii)(c) of the NDPS Act.

Learned counsel for the petitioner submits that petitioner is in custody since 7.1.2020, is person with clean antecedent and charge sheet has been submitted and allegation is of recovery of 15.243 kg ganja from bag of the petitioner is alleged to be carrying. Learned counsel submits that bag did not



belong to the petitioner it was lying in the train and the petitioner came to be roped with false allegation. It is further submitted that even recovery is less than commercial quantity.

Learned APP Sri Madan Kumar opposes the prayer for bail.

Considering the facts that petitioner is in jail custody , is person with clean antecedent, charge sheet has been submitted and recovery of ganja is less than commercial quantity, the petitioner is directed to be released on bail on furnishing bail bonds of Rs 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the Addl. Sessions Judge V-cum- Special court, Gaya in Rail PS Gaya Case no. 04 of 2020 with condition that one of the bailer shall be elder brother of the petitioner.

(Satyavrat Verma, J)

s.hassan/-

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