

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59102 of 2021

Arising Out of PS. Case No.-100 Year-2021 Thana- MITHANPURA District- Muzaffarpur

Golu @ Dilshad @ Dishad Son of Md. Zalil R/o Mohalla- Ghatturbhuj
Asthan, P.S.- Town, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar, Advocate

For the Opposite Party/s : Mr. Bharat Lal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 27-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks from today.

In the present case, the petitioner seeks bail in
connection with N.D.P.S. Case No. 41 of 2021 arising out of
Mithanpura P.S. Case No. 100 of 2021 registered for the alleged
offences under Sections 120(B) of the Indian Penal Code and
under Section 8/20(b)(ii)(B) of the N.D.P.S. Act.

Allegedly the petitioner was apprehended with 500
gm. of *Ganja* while conspiring with the co-accused persons for
committing murder of a person.

The learned counsel for the petitioner submits that
nothing has been recovered from the conscious possession of



the petitioner and even if the recovery is supposedly true, it would come under small quantity. Other allegations of the F.I.R. are not attracted against the petitioner. There is a case pending against the petitioner in which he is on bail. One of the co-accused person namely Manauar Hussain has been allowed bail by a Coordinate Bench vide order dated 19.05.2022 passed in Criminal Misc. No. 68407 of 2021. The petitioner is in custody since 11.05.2021.

Learned A.P.P. for the State has opposed the prayer of bail of the petitioner on the ground that there has been recovery of 500 gm. of *Ganja* from the petitioner.

Having regard to the submissions made hereinabove and considering the fact that the petitioner is in custody since 11.05.2021 for possessing 500 gm. of *Ganja* with further allegations which have hardly been substantiated during investigation, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned District and Sessions Judge, Muzaffarpur in connection with N.D.P.S. Case No. 41 of 2021 arising out of Mithanpura P.S. Case No. 100 of 2021, subject to the following condition:



(i) The bail bond of the petitioner shall be accepted only after framing of charge, if not already framed.

(ii) One of the bailors will be a close relative of the petitioner.

(iii) The petitioner will remain present on each and every day fixed by the court below.

(iv) In case of absence for three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

ved/Diwakar

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