

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60110 of 2021

Arising Out of PS. Case No.-722 Year-2020 Thana- GOPALGANJ TOWN District-
Gopalganj

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MAINUDDIN ALAM @ MAINUDIN ALLAM Son of Nasruddin Miyan
Resident of Village- Sreya Ward No. 5, P.S.- Gopalganj Town, District-
Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Union of India

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Javed Aslam, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-03-2022 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

Let the defect(s), if any, be removed within a period of
four weeks after complete start of the physical Court.

The petitioner seeks regular bail in connection with Trial
No. 31 of 2020 arising out of Gopalganj Town P.S. Case No. 722 of
2020 instituted for the offences under Sections 8(c), 21(a) of the
Narcotic Drugs and Psychotropic Substances Act, 1985.

Learned counsel for the petitioner submits that the
petitioner is in custody since 22.12.2020, is a person with clean
antecedent and charge-sheet has been submitted.

Allegation is of recovery of 05.30 gram of smack like
substance from the possession of the petitioner kept in ten sachets.

Learned counsel for the petitioner submits that petitioner



has been falsely implicated in the present case and even presuming what has been alleged in the FIR is true without admitting then the recovery of smack like substance is a little more than small quantity but much less than commercial quantity. Learned counsel further submits that this is the first offence of the petitioner.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody, is a person with clean antecedent, charge-sheet has been submitted and the alleged recovery is a little more than small quantity but less than commercial quantity and it is the first offence of the petitioner, let the petitioner above named be released 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 learned Sessions Judge, Gopalganj in connection with Trial No. 31 of 2020 arising out of Gopalganj Town P.S. Case No. 722 of 2020, with condition that one of the bailors shall be the father (Nasruddin Miyan) of the petitioner.

(Satyavrat Verma, J)

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