

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64444 of 2021

Arising Out of PS. Case No.-79 Year-2021 Thana- BHAGALPUR GRP CASE District-
Bhagalpur

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GONU PASWAN @ GONU KUMAR PASWAN @ GUNESHWAR
PASWAN S/o Sri Niranjan Paswan R/o village- Maheshi, P.S.- Sultanganj,
District- Bhagalpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Sinha, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 12-05-2022 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
GRP Bhagalpur Case No. 79 of 2021 for the offence punishable
under Sections 8 (c)/20(b)(ii)(AA) and 22 of the Narcotic Drugs
and Psychotropic Substance Act, 1985.

The prosecution case, in brief, is that during search
altogether 10 KG and 222 GM was recovered from a bag found
in possession of the petitioner along with stolen mobile and Rs.
25000/- from his pocket.



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 petitioner is plumber and it was his own earned money and alleged mobile has not been found stolen one. He further submits that the Ganja recovered from the bag which do not belong to the petitioner rather allegation made against him that the petitioner was possessed with the bag containing Ganja. Admittedly, quantity of Ganja is less then commercial quantity, however the same quantity is much more than the small quantity. He further submits that the petitioner has clean antecedent and he is in custody since 16.06.2021.

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

Considering the aforementioned facts and circumstances of the case and without going into merit of the case and quantity of alleged Ganja, 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 Session Judge-cum-NDPS Court, Bhagalpur in connection with GRP Case No. 79 of 2021, NDPS Case No. 34 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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