

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4948 of 2023

Arising Out of PS. Case No.-318 Year-2022 Thana- GOPALPUR District- Bhagalpur

MURARI SAH S/O KAILASH SAW @ KAILASH SAH R/V- ABHIYA,
P.S.- GOPALPUR, DISTRICT- BHAGALPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate.

For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 05-05-2023 Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner has preferred this application for grant of regular bail in connection with Gopalpur P. S. Case No. 318 of 2022 corresponding to NDPS Case No. 79 of 2022 dated 27.06.2022 registered for the offences punishable under Sections 8/20(b) (ii) (B) of the Narcotic Drugs and Psychotropic Substances Act.

As per the prosecution case, total 5 Kg. Ganja was recovered from the house of the petitioner.



Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. No such occurrence as alleged has ever taken place. Nothing has been recovered from the conscious possession of the petitioner. Learned counsel has further submitted that in fact, the contraband is less than commercial quantity. The petitioner has got clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 28.06.2022.

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

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court Concerned, Bhagalpur in connection with Gopalpur P. S. Case No. 318 of 2022 corresponding to NDPS Case No. 79 of 2022.

The application stands allowed.

(Chandra Prakash Singh, J)

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