

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36615 of 2023

Arising Out of PS. Case No.-238 Year-2023 Thana- GOPALGANJ TOWN District-
Gopalganj

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Shree Bhagwan Yadav S/o Chandrama Yadav @ Chandrama Chaudhari, R/o
Village- Jagiri Tola, P.S- Yadopur, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Zainul Abedin, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-06-2023 Let the defect(s), if any, be removed within two weeks
from today.

2. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

3. The petitioner seeks regular bail in connection with
Gopalganj (Town) P.S. Case No.238 of 2023 dated 01.04.2023,
lodged under Sections 8/20(b)(ii)(a) of the N.D.P.S. Act.

4. As per prosecution case, the recovery of 115.4 gram
of *Ganja* is the subject matter of the present case out of which
39.30 gram of *Ganja* has been recovered from the possession of
petitioner.

5. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that 39.30 gram of *Ganja* like material has alleged to be

recovered from the possession of petitioner which has been sent for F.S.L. He also submits that antecedent of petitioner is clean and he is in custody since 02.04.2023. He further submits that as per the N.D.P.S. Act the recovered 39.30 gram *Ganja* is below than the small quantity.

6. Learned counsel for the State opposes the prayer for bail but accepts that the recovered *Ganja* is below than the small quantity.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned District & Sessions Judge, Gopalganj in connection with Gopalganj (Town) P.S. Case No.238 of 2023, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

8. With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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