

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 43002 of 2023**

Arising Out of PS. Case No.-1041 Year-2022 Thana- GOPALGANJ TOWN District-
Gopalganj

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JAVED ALAM son of Kaimul Sah @ Amul Husenu Village- Dewapur Sekh
Pudit Tola Ps- Manjhagarh Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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For the Petitioner/s	:	Mr Rajeev Ranjan, Advocate
For the Opposite Party/s	:	Mr Umanath Mishra, APP

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**CORAM: HONOURABLE MR JUSTICE CHANDRA PRAKASH SINGH
ORAL ORDER**

2 21-07-2023 Heard learned counsel for the petitioner and the
learned APP.

2 The petitioner has preferred this application for grant of regular bail in connection with Gopalganj (Town) PS Case No 1041 of 2022 dated 18.12.2022 registered for the offence punishable under Sections 412, 413, 414/34 of the IPC and Sections 8/20 (b) (ii) (B) of the NDPS Act.

3 As per the prosecution case, 580 gms of Charas like substance was recovered from the waist of the petitioner.

4 Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The seized contraband is not of the commercial quantity. The petitioner bears 18 criminal antecedent, as stated in paragraph 3 of the bail petition out of which one case is related to the NDPS Act. He is in custody in this case since 20.12.2022.



5 Learned APP has vehemently opposed the bail petition of the petitioner.

6 Considering the aforesaid facts and circumstances of the case, the period of custody as well as the nature of allegation against the petitioner, the petitioner above named is directed to be released on bail on his furnishing bonds of Rs 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge I -cum- Special Judge, NDPS Act, Gopalganj in Gopalganj Town PS Case No 1041 of 2022 dated 18.12.2022 subject to the following conditions:

(1) The petitioner shall remain physically present before the Court below on each and every date, failing which on two consecutive dates without reasonable cause, his bail bonds are liable to be cancelled.

(2) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bonds.

7 This application stands allowed.

(Chandra Prakash Singh, J)

M.E.H./-

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