

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44043 of 2023

Arising Out of PS. Case No.-263 Year-2022 Thana- MANJHAGARH District- Gopalganj

SONU GUPTA @ SONU SAH @ BISHWAJEET KUMAR SON OF
BHOLA SAH RESIDENT OF VILLAGE- RAMGARH, PS- SISWAN OP.
CHAINPUR, DISTRICT- SIWAN

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghav Prasad

For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 21-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case instituted for the offence under Sections 412/414/34 of the Indian Penal Code, Sections 25(1-b)a, 26/35 of the Arms Act and Sections 20, 22 and 23 of the N.D.P.S. Act.

3. As per prosecution case, on secret information received, police party started checking the vehicle and on search there has been recovery of 300 Gm *Charas* like substance from the pocket of the petitioner. It is further alleged that mobile, some ornaments and one country-made pistol with live cartridges were recovered from him.

4. It is submitted by learned counsel for the petitioner



that petitioner has been falsely implicated in this case. He has committed no offence. Petitioner has no concern with the *Charas* like substance; motorcycle; ornaments as well as arms and cartridges, which were seized by the police. He submitted that seized *Charas* like substance does not come within the purview of commercial quantity as per N.D.P.S. Act. The provision of N.D.P.S. Act has not followed in this case. He is languishing in judicial custody since 03.09.2022.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court below in connection with Manjhagarh P.S. Case No. 263 of 2022.

(Sunil Kumar Panwar, J)

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