

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45177 of 2023**

Arising Out of PS. Case No.-315 Year-2023 Thana- GOPALGANJ TOWN District-
Gopalganj

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DHEBA MUSAHAR S/O- Jagdev Musahar @ Jagdev Raut R/O Village-
Karariya, P.S- Gopalganj(Town), Distt.- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Union of India Through the Director, Narcotics Control Bureau Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Setu Prateek, Adv.
For the Opposite Party/s : Mr. Umeshanand Pandit, APP

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**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER**

2 27-07-2023 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Gopalganj(Town) P.S. Case No. 315 of 2023 dated 24.04.2023
registered for the offences punishable under Sections 21(a) and
21(c) of the N.D.P.S. Act.

3. The main submissions advanced by learned counsel
Mr. Setu Prateek appearing for the petitioner are that though the
instant matter relates to the recovery of suspected narcotic
contraband from several persons but the recovery concerned to
the petitioner is only 12.45 gram Smack like substance kept in
16 small packets (*Pudiyas*) and the said alleged contraband
comes in the purview of intermediate quantity and there is



criminal antecedent of one case against this petitioner which has been registered under Excise Act and in the present matter petitioner has been languishing in jail since 26.04.2023 and against him the investigation has been completed.

4. Learned APP Mr. Umeshanand Pandit appearing for the State has opposed the prayer for bail.

5. Having regard to the facts and circumstances of this case, considering the above submissions and mainly quantity of the alleged suspected narcotic contraband and the completion of investigation against the petitioner, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Gopalganj(Town) P.S. Case No. 315 of 2023.

(Shailendra Singh, J.)

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