

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46421 of 2023

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

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KAMLESH KUMAR MISHRA Son of Late Raghav Pati Mishra @
Raghopati Mishra R/o Tiwari Matihiniya, P.S.- Bishambarpur, District -
Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate

Mr. Vivek Verma, Advocate

For the Opposite Party/s : Mr. Rajendra Singh, APP

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

ORAL ORDER

2 02-08-2023 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 on resumption of physical mode.

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

3. The petitioner has preferred this application for
grant of regular bail in connection with Gopalgnaj (Town) P.S.
Case No. 315 of 2023 dated 24.04.2023 registered for the
offences punishable u/ss 21(a) and 21(c) of the N.D.P.S. Act.

4. As per the prosecution case, 14 *purias* smack like
substance weighing 9.40 gms were recovered from the
possession of the petitioner.



5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the seized contraband is less than the commercial quantity and the petitioner has no concern with the alleged recovery. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 26.04.2023.

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

7. 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, Gopalganj in connection with Gopalganj (Town) P.S. Case No. 315 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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