

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51002 of 2023

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

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Noor Mohammad S/O Dost Mohammad R/O Village- Jaidpur, P.S- Jaidpur,
Distt.- Barabanki, U.P.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

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

ORAL ORDER

2 17-08-2023 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 P.T. No. 306 of 2023 arising out of Gopalganj (Town) P.S. Case No. 315 of 2023 dated 24.04.2023 registered for the offences punishable u/ss 21(a)/21(c) of the N.D.P.S. Act.

4. As per the prosecution case, on secret information the police personnel apprehended one person namely, Ganesh Chaurasiya and on search, 1.010 kg. smack like substance kept in two plastic packets was recovered from his bag and on the basis of disclosure of the co-accused Ganesh Chaurasiya the police party apprehended the petitioner and on search Rs. 10,58,320/- was



recovered from his bag which was allegedly sale-proceeds of Smack.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Similarly situated co-accused has already been granted bail by the co-ordinate bench of this court *vide* order dated 20.07.2023 passed in Cr. Misc. No. 42741 of 2023. 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 P.T. No. 306 of 2023 arising out of Gopalganj (Town) P.S. Case No. 315 of 2023.

8. The application stands allowed.

(Chandra Prakash Singh, J)

guddukr/-

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