

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49269 of 2022

Arising Out of PS. Case No.-21 Year-2022 Thana- BARHIYA District- Lakhisarai

GAUTAM KUMAR S/O KRISHNANDAN SINGH Resident of village-
Tehsil Gisara, P.S.- Persauni, District- Sitamarhi, State- Bihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akash Shankar

For the Opposite Party/s : Mr.Ram Naresh Ray

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 14-03-2023 The learned counsel for the petitioner is directed to
remove all the defects pointed out by the office within one month.

Heard learned counsel for the petitioner as well as
learned APP for the State.

In this case, the petitioner is seeking regular bail in
connection with Barahiya P.S. Case No. 21 of 2022, registered for the
offences punishable under Sections 8 and 20 of Narcotic Drugs And
Psychotropic Substances Act, 1985.

As per allegation, when the house of the petitioner was
raided by the police, after throwing the alleged *ganja*, he became
successful in flee away. 7 kg of *ganja* was recovered from a bush.

The learned counsel for the petitioner has submitted
that the petitioner is innocent. Nothing was recovered from his
conscious possession. He was not arrested at the spot. He has
submitted further that the quantity of recovered *ganja* is lesser than
commercial quantity. He has also submitted that the criminal
antecedent of the petitioner was left to be mentioned in paragraph no.



3 of the bail petition, but by supplementary affidavit, he has rectified that defect and that criminal antecedent is not of the similar nature. The petitioner is under custody since 04.06.2022.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Session Judge, Lakhisarai in connection with Barahiya P.S. Case No. 21 of 2022, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.
- (ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

kundan/Nirmal

U		T	
---	--	---	--

