

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54259 of 2023

Arising Out of PS. Case No.-336 Year-2023 Thana- GOPALGANJ TOWN District-
Gopalganj

=====

ARJUN SAH @ ARJUN KUMAR SAH S/O BALKUWAR SAH R/O
VILLAGE- AWADH NAGAR, PS. YADOPUR, DIST. GOPALGANJ

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pritish Ranjan, Adv.
For the Opposite Party/s : Mr. Raj Kishor Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

- 2 04-09-2023 1. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.
2. Petitioner, who is in custody since 02.05.2023 seeks
bail, in connection with Gopalganj (Town) P.S. Case
No.336/2023, dated 01.05.2023, for the offences punishable
under Sections 8/20(b) (ii) of the N.D.P.S. Act.
3. According to prosecution case, 210 gram ganja like
substance has been recovered from the possession of the
petitioner.
4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that from
perusal of the F.I.R. as well as seizure list, it appears that 210



gram ganja like substance has been recovered from the possession of the petitioner and no arms has been recovered from the possession of the petitioner, so., no case under the Arms Act is made out against the petitioner. He further submits that there is non-compliance of Section 50 of the N.D.P.S. Act and the recovered contraband is less than the commercial quantity, so, there is no imbargo under section 37 of the N.D.P.S. Act to enlarge the petitioner on bail. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 02.05.2023.

5. Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released 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 learned Sessions Judge, Gopalganj in connection with Gopalganj P.S. Case No. 336/2023, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court



and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

amit/-

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

