

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63239 of 2023

Arising Out of PS. Case No.-590 Year-2023 Thana- GOPALGANJ TOWN District-
Gopalganj

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UPENDRA PRASAD @ UPENDRA KUMAR PRASAD son of Harendra
Prasad Village- Bhagwanpur Ps- Thawe Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Akshay Ashish

For the Opposite Party/s : Mr.Mukesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 09-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 8(C), 20(B)(ii)(a) of
NDPS Act and Section 30(a) of the Bihar prohibition and
Excise Act.

As per allegation in the FIR, on getting secret
information police party proceeded towards place of occurrence,
and apprehended the petitioner. On search, 250.65 gram of ganja
like substance and one litre liquor were recovered from the bag
of the petitioner and he was arrested on spot.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no



offence. He has been falsely implicated in this Case. There is complete violation of provision of Section 50 of the NDPS Act. There is no FSL report to confirm that the seized article is contraband material. The recovered article comes below the commercial quantity. Petitioner has got no criminal antecedent and languishing in judicial custody since 24.07.2023.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Gopalganj in connection with Gopalganj (Town) PS Case No. 590 of 2023.

(Sunil Kumar Panwar, J)

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