

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4429 of 2023

Arising Out of PS. Case No.-749 Year-2022 Thana- GOPALGANJ TOWN District-
Gopalganj

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1. VICKY KUMAR S/o Rajendra Ram R/v- Purani Chouk, Ward No.- 16, P.S.- Gopalganj, District- Gopalganj
 2. PRINCE KUMAR S/O Santosh Prasad Jaiswal R/v- Adhiwhta Nagar, Ward No.- 14, P.S.- Gopalganj, District- Gopalganj

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harendra Prasad

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP

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

ORAL ORDER

2 27-04-2023 Heard the learned counsel for the petitioners and
learned APP for the State.

This is an application for regular bail on behalf of
the petitioners for the offences alleged under Sections 8/20(b)/
(ii)(B) of the NDPS Act, registered in connection with
Gopalganj P.S.Case No. 749 of 2022(Trial No. 64/2022).

As per allegation, approximately 119 gm and 147 gm
of *charas* were recovered from the possession of petitioner
nos.1 and 2 respectively.

The learned counsel for the petitioners has submitted
that petitioners are in custody since 15.09.2022. They are the
persons of clean antecedents and the quantity of contraband



recovered from the possession of the petitioners is much below the commercial quantity, to which the learned APP has fairly conceded that the quantity is much below the commercial quantity.

Considering the above facts and circumstances, let the petitioners, above-named, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each, with two sureties of the like amount each, to the satisfaction of learned District and Sessions Judge, Gopalganj in connection with Gopalganj P.S.Case No. 749 of 2022 (Trial No. 64/22), subject to the following conditions:-

1. Before accepting the bail bond, the learned court below shall verify the criminal antecedents of the petitioners.

2. The petitioners shall cooperate in the disposal of trial and make themselves available on each and every date fixed at the trial, and if they fail to appear on two consecutive dates without any reason or unavoidable circumstances, the court below shall be at liberty to cancel their bail bonds.

3. If the petitioners are 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 petitioners and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

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