

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80813 of 2023

Arising Out of PS. Case No.-340 Year-2023 Thana- BHAGWAN BAZAR District- Saran

=====

Arjun Rai @ Arjun Ray S/O Adalat Rai Village- Chhota Brahmpur, Ps.
Bhagwan Bazar, Dist. Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Atul Chandra, APP

=====

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 21-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Bhagwan Bazar P.S. case No. 340 of 2023 instituted for the
offences under Sections 8/20 of the N.D.P.S. Act.

3. Prosecution allegation, in short, is that 2 Kg. *Ganja*
was recovered from the house of this petitioner.

4. It has been submitted on behalf of the petitioner that
the petitioner is in custody since 08.09.2023 and has 3 criminal
antecedents but he is on bail in all the cases. The petitioner has



falsely been implicated in the present case. He further submitted that the alleged *ganja* was recovered from the joint house in which total 12 family members reside and there is no evidence on record to prove that the place from which the recovery was made was in exclusive possession of this petitioner. He further submitted that the recovered *ganja* is less than the commercial quantity as per N.D.P.S. Act. There is no compliance of Section 42 and 50 of the N.D.P.S. Act.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bhagwan Bazar P.S. case No. 340 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the Trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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

