

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10137 of 2024

Arising Out of PS. Case No.-589 Year-2023 Thana- BIHPUR District- Bhagalpur

Sanjay Kumar Bhagat SON OF LATE TRIVENI BHAGAT Village-sahpur
Choudhaddi, P.S.- Bihpur (Bhawanipur O.P.), Dist -Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumari Rashmi, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 22-02-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Bihpur (Bhawanipur
O.P.) P.S. Case no. 589 of 2023 registered under sections 8 and
20(b)(II)(B) of the N.D.P.S Act.

3. As per the prosecution case, 5kgs of *ganja* was
recovered from the *verandah* of house of the petitioner.

4. Learned counsel for the petitioner submits that no
incriminating article has been recovered from the petitioner's
possession or his house. He has been falsely implicated in the
case. The alleged recovery is below the commercial quantity. It
is submitted that the alleged place of recovery is an open place
accessible to all. The petitioner is in custody since 22.9.2023



and charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned APP
for the State.

6. Having heard learned counsel for the parties and
taking into consideration the allegations in the F.I.R, the
petitioner having remained in custody for five months since
22.9.2023, charge-sheet having been submitted in the case and
the petitioner not having any criminal antecedent, the petitioner
is directed to be enlarged on bail in connection with Bihpur
(Bhawanipur O.P.) P.S. Case no. 589 of 2023, on furnishing bail
bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties
of the like amount each to the satisfaction of the learned District
& Sessions Judge, Bhagalpur.

(Partha Sarthy, J)

Harsh/-

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