

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12672 of 2024

Arising Out of PS. Case No.-1041 Year-2022 Thana- GOPALGANJ TOWN District-
Gopalganj

Arvind Kumar Ram Son Of Baharan Ram R/O Village- Dewapur Puroil Tola,
P.S.- Manjhagarh, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Avnish Kumar Singh, Advocate

For the State : Mr. Lalan Kumar, APP

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

ORAL ORDER

2 01-03-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with
Gopalganj (Town) P.S. Case No. 1041 of 2022 instituted for the
offence under Section 412, 413, 414 & 34 of the Indian Penal
Code and Sections 8, 20(b)(ii)(B) of the NDPS Act.

3. As per prosecution case, total 485 grams of 'charas'
like substance was recovered from the possession of the
petitioner.

4. It has been submitted on behalf of the petitioner



that the petitioner is in custody since 20-12-2022. Petitioner bears six criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Recovered article was not sent for the F.S.L. Seizure list is not in accordance with law. Even though the alleged recovered quantity is below the commercial quantity. Hence, Section 37 of the NDPS Act is not applicable in the instant case. There is no compliance of Sections 42 & 50 of the NDPS Act. Other co-accused has been allowed bail by a Co-ordinate Bench of this Court *vide* order dated 21-07-2023, passed in Cr. Misc. No. 43002 of 2023. Charge sheet has already been submitted in this case.

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

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

8. 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 Gopalganj
(Town) P.S. Case No. 1041 of 2022.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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