

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13358 of 2024

Arising Out of PS. Case No.-911 Year-2023 Thana- GOPALGANJ TOWN District-
Gopalganj

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Prince Kumar @ Prince Kumar Yadav S/o Hemnath Yadav R/o Asha Raut Ke
Tola, P.s. - Manjhagarh, Distt. - Gopalganj, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Indrajeet Bhushan, Advocate
For the Opposite Party/s : Mr.Atul Chandra, APP

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

ORAL ORDER

2 05-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Gopalganj (Town) P.S.
case No. 911 of 2023 instituted for the offences under Sections
8(c), 21(b) of the N.D.P.S. Act.

3. Prosecution allegation, in short, is that the on secret
information, the police arrested two persons and total 18.88
gram smack like substance was recovered along with one
mobile and one scooty.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. Charge-sheet has been submitted in this case. The
petitioner is in custody since 16.11.2023 and has got no criminal



antecedent. No incriminating material has been recovered from the conscious possession of the petitioner. The scooty in question does not belong to the petitioner rather it belongs to co-accused. The recovered contraband is below the commercial quantity. Hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. There is no compliance of Sections 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 and 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 Gopalganj (Town) P.S. case No. 911 of 2023.

(Rudra Prakash Mishra, J)

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