

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37698 of 2024

Arising Out of PS. Case No.-428 Year-2023 Thana- MOUZAHDIPUR District- Bhagalpur

Om Prakash Sah Son of Late Arjun Sah Resident of Warsaliganj, Police
Station - Mojahidpur (Babarganj), District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 26-06-2024 Heard Mr. Praveen Kumar, learned counsel for the
petitioner and Mr. Uday Chand Prasad, learned APP for the
State.

2. The petitioner seeks pre-arrest bail in connection
with Mojahidpur (Babarganj) P.S. Case No.428 of 2023 dated
27.12.2023, registered for the offence(s) punishable under
Sections 8, 20(b), 11, 22(a) of the N.D.P.S. Act.

3. As per the allegation made in the F.I.R., 350 gram
of *Ganja* has been recovered from the general store of the
petitioner.

4. Learned counsel appearing on behalf of the
petitioner submits that the petitioner has been falsely implicated
in the case. He further submits that the quantity of 350 gram of
Ganja is less than small quantity and petitioner is not
responsible for the said *Ganja* which was recovered from the



general store of the petitioner. Petitioner has criminal antecedent of one case, informed in paragraph 3 of the bail application.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made in the F.I.R. as well as, the quantity being less than small quantity, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail-bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Bhagalpur, in connection with Mojahidpur (Babarganj) P.S. Case No. 428 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C. and subject to further condition that one of the bailor will be responsible person of the residential area where the petitioner resides.

7. The bail application stands disposed of.

(Purnendu Singh, J)

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