

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30326 of 2024

Arising Out of PS. Case No.-24 Year-2024 Thana- INDUSTRIAL District- Bhagalpur

Gorelal Yadav @ Kumar Gourav son of Late Deep Narayan Yadav Resident
of Village- Yadav Tola, Fatehpur, P.S.- Industrial Area (Ziro mile), Dist.-
Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate

For the Opposite Party/s : Mr. Prem Kumar Jha, APP

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

ORAL ORDER

2 23-04-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in Industrial Area PS Case
No. 24 of 2024 instituted for the offences under Sections 20(B)
(ii) (c) & 22 of the NDPS Act.

3. Prosecution allegation, in short, is that 60 grams of
'brown sugar' has been recovered from the possession of the
petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet been submitted in this case. No
incriminating material has been recovered from the conscious
possession of the petitioner. 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. The petitioner is in custody since 02-02-2024 and has got no criminal antecedent. 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, recovery below commercial quantity, clean antecedent of the petitioner 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 Industrial Area PS Case No. 24 of 2024.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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