

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35286 of 2024

Arising Out of PS. Case No.-434 Year-2023 Thana- BARAULI District- Gopalganj

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1. Kaushar Ali @ Kausar Ali SON OF Late Anwar Hussain Village- Jogapur Kothi, P.S.- Jamo Bazar, District- Siwan
 2. KHURSHID ALAM SON OF AZAD HUSSAIN Village- Jogapur Kothi, P.S.- Jamo Bazar, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam, Adv

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 16-05-2024 Heard learned counsel for the petitioners and learned A.P.P for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Barauli (Madhopur) P.S. Case No. 434 of 2023 dated 21.10.2023 registered for the offences punishable u/s 8/21(b) and 22(b) of the N.D.P.S Act.

3. As per the prosecution case, total 2.650 grams of *ganja* was recovered from the bag of the petitioner no.1 *Kaushar Ali*.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. It is further submitted that the petitioner



no. 1 is the owner of the said motorcycle and the petitioner no. 2 Khurshid Alam was the pillion rider. It is further submitted that the said recovery is less than commercial quantity. Nothing has been recovered from the conscious possession of the petitioners. The petitioner no. 1 has one criminal antecedent and the petitioner no. 2 has clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 22.10.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case, as well as the period of custody, the petitioners above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Gopalganj in connection with Barauli (Madhopur) P.S. Case No. 434 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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