

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39129 of 2024**

Arising Out of PS. Case No.-430 Year-2023 Thana- GOPALGANJ TOWN District-
Gopalganj

=====

Shambhu Nishad @ Shambhu S/O Jang Bahadur @Jang Bahadur Nishad R/O
Village Khaira Tola, Rupahi Tar, P.S. Bhitaha, Dist. West Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Vijay Kr Singh No. 1, Adv.

For the Opposite Party/s : Mr.Rajendra Singh, APP

=====

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 07-10-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Tr. No. 29 of 2023 arising out of Gopalganj Town P.S. Case No. 430 of 2023 dated 09.06.2023 registered for the offences punishable u/ss 8/20 (b) (ii)(B) of the N.D.P.S. Act.

3. As per the prosecution case, total 15.550 Kgs. ganja was recovered from the two bags of the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Learned counsel has further submitted that the petitioner has no concern with the alleged recovery. It is further submitted that the seized contraband is less than the commercial quantity. The petitioner has one criminal antecedent as stated in para 3 of the



bail petition. The petitioner is in custody since 10.06.2023.

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

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner 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 Tr. No. 29 of 2023 arising out of Gopalganj Town P.S. Case No. 430 of 2023 with the condition :-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Gautam/-

U		T	
---	--	---	--

