

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43048 of 2024

Arising Out of PS. Case No.-3 Year-2024 Thana- KHAGARIA RAIL P.S. District- Khagaria

Suman Kumar Gupta @ Dhallo Son Of Ashok Prasad Gupta Resident Of Village / Mohalla - Naya Tola, Ward No. 35, P.S. - Katihar Town, District - Katihar, At Present Bhola More, New Jhapaiguri, P.S. - Bhakti Nagar, District - Jalpaiguri (WEST Bengal)

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghvendra Kumar Singh, Adv.

For the Opposite Party/s : Mr.Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 01-07-2024 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 Khagaria Rail P.S. Case No. 03 of 2024 dated 10.01.2024 registered for the offence/s punishable u/ss 8, 20(B)(ii)(B), 29 of the NDPS Act.

3. As per the prosecution case, total 6 kgs. of Ganja and one mobile phone were recovered from the possession of the petitioner.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The seized contraband is less than commercial



quantity. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 11.01.2024.

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, Khagaria in connection with Khagaria Rail P.S. Case No. 03 of 2024, with the condition/s-:

(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 bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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