

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 50580 of 2024

Arising Out of PS. Case No.-83 Year-2024 Thana- BHORE District- Gopalganj

Praveen Upadhyay @ Praveen Upadhyay S/o Late Jhulan Upadhyay R/o vill -
Hussepur, Upadhyay Tola, P.S. - Bhorey, Distt - Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

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

ORAL ORDER

2 05-08-2024 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 Bhorey P.S. Case No. 83 of 2024 dated 07.04.2024 registered for the offences punishable u/s 8(c) and 21(a) of the N.D.P.S. Act.

3. As per the prosecution case, total 3.6 gms. of smack was recovered from the joint possession of the petitioner and the co-accused persons.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the seized contraband is less than commercial quantity. Nothing has been recovered from the



conscious possession of the petitioner. The seized contraband is of small quantity. The petitioner has two antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 09.04.2024.

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 nature of allegation levelled against the petitioner and 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 Bhorey P.S. Case No. 83 of 2024, with a 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 bond of the petitioner is liable to cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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