

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51086 of 2024

Arising Out of PS. Case No.-432 Year-2024 Thana- SAHARSA SADAR District- Saharsa

KUMAR GAURAV SON OF AJAY KUMAR SINGH RESIDENT OF
MOHALLA - GANGJALA NEAR P.K.MALLICK CLINIC, P.S. -
SAHARSA, DISTRICT - SAHARSA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha

For the Opposite Party/s : Mr.Nawal Kishore Prasad

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 26-07-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. In this case, the petitioner is seeking regular bail in connection with Saharsa Sadar P.S. Case No. 432 of 2024, registered for the offences punishable under Sections 8(c)21(b) of the NDPS Act.

3. As per allegation, 20.2 gm of smack was recovered from possession of the petitioner.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. He is a person of clean antecedent. He has submitted further that the requirement of Section 50 of the NDPS Act was not complied with. He has also submitted that the quantity of recovered smack is though slighter much than the small quantity



but it is much less than the commercial quantity. The petitioner is under custody since 29.04.2024.

5. On the other hand, the learned APP for the State has opposed the prayer for bail.

6. Considering the above-mentioned facts and circumstances as well as clean antecedent, let the petitioner above-named be released **after completion of six months in custody** on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, Saharsa in connection with Saharsa Sadar P.S. Case No. 432 of 2024, subject to the following condition:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) **After six months, his bail bond shall be accepted only in case, if it is found on verification that he is a person of clean antecedent.**

(Nawneet Kumar Pandey, J)

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