

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58127 of 2024

Arising Out of PS. Case No.-134 Year-2024 Thana- MOUZAHDIPUR District- Bhagalpur

Aman Amrit Raj Son Of Late Umesh Prasad Sharma Village- Shivaji Colony,
Gali No. 02, Sikandarpur, Ps- Mojahidpur, Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

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

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

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

ORAL ORDER

2 28-08-2024 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 N.D.P.S. Case No. 51/2024 arising out of Mojahidpur P.S. Case No. 134 of 2024 dated 23.04.2024 registered for the offences punishable u/ss 20 (b)(c) and 22 of Narcotic Drugs and Psychotropic Substance Act.

3. As per the prosecution case, total 20 Kg. ganja was recovered from the garage of the petitioner's house.

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 garage from where the alleged recovery has been made which was solely used by the renter. Nothing has been



recovered from the conscious possession of the petitioner. Learned counsel has placed reliance in the case of "**Samiullah Khan Vs. State of Odisha, 2024 SCC Online Ori 1482, order dated 28.05.2024.**" The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 23.04.2024.

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 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, Bhagalpur in connection with N.D.P.S. Case No. 51/2024 arising out of Mojahidpur P.S. Case No. 134 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 prosecution will be at liberty to move for cancellation of his bail bond.

(ii) If the petitioner is found involved in



*similar nature of offence in future, the
prosecution will be at liberty to move
for cancellation of his bail bond.*

7. The application stands allowed.

(Chandra Prakash Singh, J)

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