

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57383 of 2024

Arising Out of PS. Case No.-396 Year-2023 Thana- THAWE District- Gopalganj

Mahtab Alam @ Saddam, aged about 24 years, Male, Son of Israrul Hassan,
Resident of Village- Chauraw, P.S- Gopalganj, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Adesh Raj Singh, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 09-08-2024 Heard learned counsel appearing on behalf of the parties.

2. The petitioner seeks bail in connection with Thawe P.S. Case No.396 of 2023 registered for the offence under Sections 21(b) of the NDPS Act.

3. As per FIR, there is recovery of total 4.30 gram of smack from the possession of this petitioner.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been implicated in the present case. It is submitted that quantity of alleged recovery of smack (heroin) is total 4.30 gram. Petitioner is in custody since 31.12.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.



6. Considering the facts and circumstances and submissions made on behalf of the petitioner and recovered quantity of smack is less than small quantity i.e. 4.30 gram and Similarly situated co-accused persons namely Butan Kumar @ Bhutan Kumar and Nurul Haque @ Nurul have been granted bail by this Court in Cr. Misc. Nos.31153 of 2024 and 27314 of 2024 vide orders dated 20.05.2024 and 20.04.2024, respectively, let the petitioner, above named, is directed to be released on bail in connection with Thawe P.S. Case No.396 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-I, Gopalganj.

(Ramesh Chand Malviya, J)

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