

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73323 of 2023

Arising Out of PS. Case No.-361 Year-2023 Thana- GOPALGANJ TOWN District-
Gopalganj

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Rintu Sah @ Rinku Sah, Male, aged about 40 years, Son of Late Shankar Sah,
Resident of Village- Kararia, P.S.- Gopalganj, Town, Distt- Gopalganj.

... .. Petitioner

Versus

1. The State of Bihar.
2. Union of India through the Director, Narcotics Control Bureau, Patna, Bihar.

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Setu Prateek, Advocate
For the State	:	Mr. Dr. Mrityunjaya Kr. Gautam, A.P.P.

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

ORAL ORDER

5 25-06-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Gopalganj (Town) P.S. Case No. 361 of 2023 dated 13.05.2023
registered for the offences punishable under Sections 8 and
20(b)(ii)(a) of the N.D.P.S. Act.

3. As per the prosecution case, during patrolling, the
informant apprehended the petitioner and recovered 5.25 grams
of smack from his possession.

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 below the



commercial quantity. Hence, Section 37 of the N.D.P.S. Act is not attracted in the present case. There is no compliance of Section 50 of the N.D.P.S. Act. The petitioner has one criminal antecedent which is of similar nature as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 14.05.2023.

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 Additional District Judge-VIII, Gopalganj in connection with Gopalganj (Town) P.S. Case No. 361 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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