

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12313 of 2025**

Arising Out of PS. Case No.-78 Year-2024 Thana- Maghopur District- Gopalganj

Raj Kumar Bhagat @ Raju Kumar Bhagat Satan Bhagat Resident of Village-
Futaniganj, Sareya Narendra, P.S.- Madhopur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Thakur Brajesh Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

2 07-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Madhopur P.S. Case No. 78 of 2024 registered for the alleged offences under Sections 8(c) and 21(b) of the NDPS Act.

3. As per the prosecution case, petitioner was apprehended on the basis of a tip off that he was carrying smack. From the search of the petitioner 4.24 gram of smack was recovered which was kept in 12 pouches of paper.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the



conscious possession of the petitioner. He has been implicated in this case by the co-villager Md. Masoom. Learned counsel further submits that charge sheet has been submitted but the nature of contraband has not been established that it was smack or something else. Learned counsel further submits that if the allegation is taken on its face value, the seized article is only 4.24 gram and the same would come under notified small quantity. Petitioner is having clean antecedent and is in custody since 27.10.2024 and charge sheet has been submitted.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the small quantity of contraband, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Principal Sessions Judge, Gopalganj connection with Madhopur P.S. Case No. 78 of 2024 subject to the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present



on each and every date fixed by the
court below.

(Arun Kumar Jha, J)

Prakash/-

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