

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17980 of 2025

Arising Out of PS. Case No.-98 Year-2024 Thana- Maghopur District- Gopalganj

Sumit Giri Son of Bisundev Giri Resident of Village- Singasani, P.S.
Baikunthpur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Natraj Verma, Adv.

For the Opposite Party/s : Md. Nazir Ansari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 16-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Madhopur P.S. Case No. 98 of 2024, registered for the offences under Sections 8, 21(a), 22(a) of the N.D.P.S. Act.

3. As per the prosecution case, the police received secret information about two motorcycle-borne miscreants bringing Smack. The motorcycle was intercepted and two persons were apprehended. From their search, recovery of 02.45 gram of Smack was made. Petitioner is one of the accused persons who had been driving the motorcycle and from the petitioner recovery of 01.45 gram of Smack including the weight of the pouch was made.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner has been falsely implicated in this case and he has no involvement. Moreover the recovered Smack weighed 01.45 gram including the weight of the *puriya* and the same comes below the small quantity. The petitioner is in custody since 24.12.2024 and charge sheet has been submitted. The petitioner has no criminal antecedent.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the less than small quantity of the contraband seized and considering the clean antecedent of the petitioner, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Principal Sessions Judge, Gopalganj/concerned court, in connection with Madhopur P.S. Case No. 98 of 2024, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other 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, if so required by the learned trial court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

Anuradha/-

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(Arun Kumar Jha, J)