

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33746 of 2025

Arising Out of PS. Case No.-104 Year-2025 Thana- PARBATTa District- Khagaria

Lalan Goswami S/o Late Basudev Goswami R/o Bithla, P.S.- Parbatta
(Madaiya), Distt.- Khagaria, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bambam Kumar, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 27-05-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Section 8, 20 (b) (ii)b, 22 (b) of the
N.D.P.S. Act.

3. Perusal of the first information report and the
seizure list would go to show that 62.06 grams of Ganja is said
to have been recovered from the petitioner's shop (*Gumti*).

4. It is submitted by learned counsel for the petitioner
that no recovery has been made from the conscious or physical
possession of the petitioner. It is further submitted that in
absence of the F.S.L. report, it cannot be conclusively said that
the seized contraband was Ganja as the I.O. has not sent the
seized article for forensic examination. It is further submitted



that, in any view of the matter, the recovered contraband is much less than the small quantity and petitioner is languishing in custody since 22.03.2025.

5. Learned APP for the State opposed the prayer for bail on the ground that the petitioner has two criminal antecedents. However, it is submitted on behalf of the petitioner that the said two cases are not of the similar nature of the offence.

6. Taking into consideration the fact and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Parbatta (Madaiya) P.S. Case No. 104 of 2025, subject to the condition that:

(i) The petitioner shall cooperate in the investigation/trial.

(ii) One of the bailors will be a family member/close relative.

(iii) The petitioner would appear before the Investigating Officer of the concerned Police Station till the



charge sheet is submitted in the case.

(iv) The petitioner shall remain physically present before the learned court concerned on each and every date during trial till the framing of the charge and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(Soni Shrivastava, J)

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