

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48213 of 2024

Arising Out of PS. Case No.-91 Year-2024 Thana- BHORE District- Gopalganj

Shivanand Dubey @ Golu Dubey @ Shiwa Nand Dubey, S/O Subhash Dubey
R/O Village- Dighwa, P.S- Bhorey, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishwajeet Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

7 21-01-2025 Heard learned counsel for the petitioner and Mr.
Bharat Bhushan, learned APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under Sections 8 and 20(B) (ii)(c) of the N.D.P.S. Act.

3. The case of the prosecution is that from the roof of the toilet near the water tank something wrapped in a cotton bad was recovered. It is also alleged that the said toilet is 30 meters away from the house of the petitioner. Recovered material was identified as *charas*.

4. Learned counsel appearing on behalf of the petitioners has submitted that the FSL report is available. From perusal of the FSL report it transpires that the dark brown solid substance kept in the plastic bag as described above was



adduced to be *charas* containing Tetrahydrocannabinol (T.H.C.). Though the amount of *charas* which has been recovered from the toilet of the petitioner is of commercial quantity but the place from where recovery is made is 30 meters away from the house of the petitioner. The petitioner is in custody since 14.04.2024.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each of them with two sureties of the like amount each to the satisfaction of the learned court of District and Sessions Judge, Gopalganj in connection with Bhorey P.S. Case No. 91 of 2024.

7. Accordingly, the present bail application stands allowed.

(Ashok Kumar Pandey, J)

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