

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70878 of 2025

Arising Out of PS. Case No.-134 Year-2025 Thana- Babarganj District- Bhagalpur

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Gautam Kumar @ Gautam Kumar Sah @ Goutam Kumar Sah S/o Ashok
Saha R/o Mohalla- Aligfanj, Dhobi Tola, P.S.- Babarganj, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ankit Raj, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 09-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 302, 120(B)/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The case of the prosecution, in short, is that from the pocket of the petitioner a total of 6.82 grams of brown sugar was recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. Learned counsel for the petitioner has submitted that nothing has been recovered from his possession. It has also been submitted that provision of



Section 50 of the NDPS Act has not been followed while making search. It has also been submitted that, in any view of the matter, the contraband which has been recovered from the possession of the petitioner is though more than small quantity but is much less than commercial quantity. Moreover, the petitioner is languishing in judicial custody since 21.07.2025.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail stating that the petitioner has one criminal antecedent.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Babarganj P.S. Case No. 134 of 2025 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Principal District and Sessions Judge, Bhagalpur.

(Ashok Kumar Pandey, J)

Siddharth
Sagar/-

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