

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15198 of 2016

Arising Out of PS.Case No. -128 Year- 2015 Thana -MARANCHI District- PATNA

Adhik Singh

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Parmod Kumar

For the Opposite Party/s : Mr. J. N. Thakur, (APP)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-04-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Section 20/22 of the N.D.P.S. Act.

From the agricultural field of the petitioner 9 plants of Ganja were recovered.

It is submitted by the learned counsel for the petitioner that seized plants were stray plants and that does not come within the purview of cultivation. Though, the word cultivation has not been defined under N.D.P.S. Act but 9 stray plants cannot be treated within the purview of cultivation. Statement has been in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the above facts, it is a case for considering the prayer for regular bail if the petitioner surrenders within six

weeks from today in connection with Special Case No. 51 of 2015 arising out of Maranchi (Pachmahala) P.S. case No. 128 of 2015 pending in the court of learned Sessions Judge., Patna.

This application is disposed of with the aforesaid observation/direction

(Dinesh Kumar Singh, J)

BKS/-

U		T	
---	--	---	--