

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46888 of 2016

Arising Out of PS.Case No. -3 Year- 2016 Thana -RANITALAB District- PATNA

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Arun Ram @ Arun Kumar Singh S/o Langatu Ram @ Rangrute Singh,
permanent Resident of Village- Chihunta, P.s.- Rani Talab, District- Patna,
At present resident of 25/1, Girish Ghosh Road, P.O.- Belurmath, P.S.-
Belurmath, District- Howrah, West Bengal.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Nagmani Kumar

For the Opposite Party/s : Mr. Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4. 30-11-2016 Heard Sri Nagmani Kumar, learned counsel for the
petitioner and Sri J.N.Thakur, learned Addl. Public Prosecutor.

The sole petitioner, apprehending his arrest in
Ranitalab P.S. Case No. 03 of 2016 registered for offence under
Sections 20 and 22 of the Narcotic Drugs & Psychotropic
Substances Act, 1985, has prayed for grant of anticipatory bail.

By way of referring to F.I.R., learned counsel for the
petitioner submits that on a vague allegation, the petitioner
alongwith others have been made accused, as if petitioner has
planted *Ganja* plants.

In the F.I.R., it was alleged that near the house of
petitioner, 11 plants of *Ganja* was noticed. Similarly, in respect of



other four accused persons, same allegation was made.

Learned counsel for the petitioner, by way of referring to facts disclosed in the case diary, submits that though in the F.I.R., five persons were named as accused, including the petitioner, during supervision, at least two F.I.R. named accused persons have been exonerated and without any specific material giving description of land of the petitioner, the petitioner has been made accused.

Learned Addl. Public Prosecutor has opposed the prayer for grant of anticipatory bail on the ground that 11 plants of *Ganja* have been found near the house of the petitioner.

Besides hearing, I have also perused the materials available on record. On going through the same, the Court is of the opinion that there is possibility of false implication of petitioner in the present case, since while examining the place of occurrence, no detail has been mentioned regarding the land, over which, plant was found. Moreover, in the F.I.R., it was shown that 11 plants of *Ganja* was found near the house of the petitioner, whereas, in the seizure list, it was shown as 12 plants.

Accordingly, in the event of arrest or surrender within a period of six weeks from today, let the petitioner namely Arun Ram @ Arun Kumar Singh be enlarged on bail on furnishing bail-



bond of **Rs. 10,000/-** (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-II, Patna in connection with Special Case No. 01 of 2016 (arising out of Ranitalab P.S. Case No. 3 of 2016), subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rakesh Kumar, J.)

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