

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.42122 of 2017**

Arising Out of PS.Case No. -176 Year- 2016 Thana -NOKHA District- SASARAM (ROHTAS)

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Shri Bhagwan Singh @ Bhagwan Singh, son of Late Ramdhari Singh, R/o  
Village- Bishunpura, P.S.- Nokha, District- Rohtas.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Dhaneshwar Prasad Gupta

For the Opposite Party/s : Smt. Nirmala Kumari

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

4      15-11-2017                      Heard learned counsel for the petitioner.

This is an application for bail in connection with Nokha P.S.Case No. 176 of 2016 registered for the offences punishable under Sections 8(c), 20(B), 22 and 27(A) of N.D.P.S. Act and 120B of the Indian Penal Code.

Allegation as per FIR is that 27 and odd kg. of ganja was recovered from the house of the petitioner and when police raided the place other accused persons fled away.

Submission of learned counsel for the petitioner is that FIR itself shows that ganja belongs to co-accused Rabindra Kumar Singh and petitioner is 75 years old and co-accused Rabindra Kumar Singh has already been granted bail by a co-ordinate Bench of this Court in Cr.Misc.No. 26981 of 2017, vide order dated 6.9.2017 and he is in custody since 26.5.2017. Further submission is that there is violation of provision of Section 100



Cr.P.C. in this case.

Heard learned APP also.

Having heard both sides and in view of fact that though huge quantity of ganja was recovered but co-accused has already been granted bail, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Sessions Judge-cum-Special Judge, NDPS Act, Rohtas at Sasaram, in connection with Nokha P.S.Case No. 176 of 2016, subject to the following conditions :

- (1) One of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of the court concerned,
- (2) Petitioner shall co-operate in trial and appear on each and every date in court, failing which his bail bond shall be cancelled.

**(Vinod Kumar Sinha, J)**

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