

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42966 of 2018

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Jitendra Singh S/o Late Awdhesh Singh, R/o Vill. + Post- Akbarpur, P.S.-
Paliganj, District- Patna.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar

For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 06-09-2018 Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner is apprehending his arrest in a case registered
under Section 20(b)(i)/22 of the Narcotic Drugs and Psychotropic
Substance Act.

Prosecution case is that ten small plants of *Ganja* are alleged
to have been seized from the courtyard of the petitioner.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The
petitioner has been made accused due to mistake of fact. The
petitioner had no knowledge that the said plants are of *Ganja*.
There is no FSL examination report in the case diary indicating
that the seized plants are of *Ganja*. There is no compliance of



Sections 42 & 50 of NDPS Act.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, Patna in connection with Special (NDPS) Case No. 47 of 2015 arising out of Paliganj P.S. Case No. 250 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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