

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17857 of 2019

Arising Out of PS. Case No.-27 Year-2019 Thana- NARHATT District- Nawada

BHUNESHWAR SINGH Son of Late Shiv Balak Singh Resident of Village -
Rampur, P.S.- Narhat, Distt.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lakshmi Kant Sharma
For the Opposite Party/s : Mr.Rajiv Nayan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 26-03-2019 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

Petitioner is in custody in connection with Special
(NDPS) Case No. 5 of 2019 arising out of Narhat P.S. Case No.
27 of 2019 for the offence under section 8(B)/20(a)(b) of the
NDPS Act.

Learned counsel for the petitioner would submit that
the allegation against this petitioner is that he was cultivating
plant of ganja.

Learned counsel submits that in the instant case two
prepared plant was seized in which two big flowers was found
in the Aagan of the house of the petitioner. The two plants of
ganja do not make a case of cultivating plant of ganja and in any
view of the matter the seized flowers of ganja cannot be



construed as commercial commodity.

Learned counsel further submits that petitioner is 75 years old and he is in custody since 14.2.2019.

Considering the totality of the facts and circumstances discussed hereinabove, the court is inclined to grant bail to the petitioner, let the petitioner, named above, 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 Sessions Judge, Nawada, in connection with Special (NDPS) Case No. 05 of 2019, arising out of Narhat P.S. Case No. 27 of 2019.

(Anil Kumar Upadhyay, J)

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