

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21409 of 2021**

Arising Out of PS. Case No.-76 Year-2020 Thana- ADHAOURA District- Kaimur (Bhabua)

LALITA YADAV @ LALITA SINGH Son of Shiv Bachan Yadav Resident of
Village - Dighar, P.O.- Kolhuan, P.S.- Adhaura, District - Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr. APP

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER**

2 09-12-2021 Heard learned counsel for the petitioner and learned APP
for the State.

Counsel for the petitioner is directed to remove the defect(s), as pointed out by the office, within a period of eight weeks.

The petitioner is apprehending his arrest in connection with Adhaura P.S. case No.76 of 2020, Reg. No.39/2020 registered under Sections 8(C)/20(b)(ii)(B)/22 of the N.D.P.S. Act.

Prosecution case, in short, is that 1.5 kgs ganja is recovered from the house of co-accused and 4.3 kgs ganja are recovered from the house 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 falsely been implicated in the present case. It is alleged that 1.5 kgs ganja is recovered from the house of co-accused and 4.3 kgs



ganja are recovered from the house of the petitioner. Said quantity is below the commercial quantity. Section 37 of the N.D.P.S. Act is not applicable in this case. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act.

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

Considering the facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge-cum-Special Judge, Kaimur at Bhabua in connection with Adhoura P.S. case No.76 of 2020, Reg. No.39/20, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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

