

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22868 of 2021

Arising Out of PS. Case No.-412 Year-2020 Thana- GHOSI District- Jehanabad

Baikunth Sharma Son Of Late Ganga Sagar Singh R/O Village- Nandana,
P.S.- Ghoshi, District- Jehanabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Adv.

For the Opposite Party/s : Mr. Smt Asha Devi,

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 23-11-2021 Heard learned counsel for the petitioner as well as
learned APP for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner seeks bail in connection with N.D.P.S.
Case No.09 of 2020 arising out of Ghoshi P.S. Case No.412 of
2020, registered for the offence punishable under Section 20(a),
20(b) and 22 of the N.D.P.S. Act.

Allegation against the petitioner is that he planted
nine cannabis plants in her field.

Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case. There is nothing incriminating articles has been recovered
from the possession of the petitioner. He further submits that
petitioner has no criminal antecedent as stated in para-3 of the



bail application and he is languishing in judicial custody since 15.09.2020. Learned counsel for the petitioner further submits that petitioner is very old man aged about 72 years and also submits that similarly situated another co-accused Shobha Devi has been released on bail by this Court vide order dated 22.03.2021 passed in Cr. Misc. No.32678 of 2020. Learned counsel for the petitioner submits that this is a fit case in which petitioner should be released on bail.

Learned counsel for the State, however opposes the prayer for bail of the petitioner and submits that commercial quantity of *Ganja* has been recovered as would be evident from the seizure list. The petitioner do not deserves to be released on bail.

Considering the facts and circumstances of the case that, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/-(Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, Ist, Jehanabad in connection with N.D.P.S. Case No.09 of 2020 arising out of Ghoshi P.S. Case No.412 of 2020, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court



concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Purnendu Singh, J)

Prakash Narayan /-

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