

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25323 of 2021

Arising Out of PS. Case No.-30 Year-2020 Thana- KHIJARSARAI District- Gaya

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ARVIND SHARMA @ TARUN SHARMA @ TARUN SINGH Son of Binod
Singh Resident of Village- uttrawa, Police station - Khizersarai, District -
Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar, Advocate

For the Opposite Party/s : Mr. APP

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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 Khizersarai P.S. case No.30/2020 registered under Sections
8, 20, 22 of the N.D.P.S. Act.

Allegation is that eight plants of ganja of 10 feet in
height were found behind 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 been made accused due to mistake of fact. Eight plants of ganja is said to have been found on the back side of the joint house of the petitioner, which is easily accessible to anyone. The petitioner had no knowledge regarding the same. 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 (N.D.P.S. Act), Gaya in connection with Khizersarai P.S. case No.30/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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