

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27209 of 2021

Arising Out of PS. Case No.-273 Year-2020 Thana- KHAJEKALA District- Patna

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Rohit Kumar, aged about 20 years, Male, S/O Kedar Yadav @ Kedar Prasad,
R/O Mohalla Barkatkha Aakhara, P.S.-Khajekallan, District-Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Ashok Kumar Mishra, Advocate
For the Opposite Party : Mr. Ram Priya Sharan Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-12-2021 Learned counsel for the petitioner is directed to

remove the defects, as pointed out by the office, within a period

of eight weeks.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in connection
with Special Case No. 179 of 2020, arising out of Khajekalan
P.S. Case No. 273 of 2020 for the offence registered under
Sections 20/22 of the N.D.P.S. Act.

The prosecution story, in brief, is that 8.800 kgs.,
Ganja is said to have been recovered from the room of the



house of the petitioner.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. It is alleged that 8.800 kgs., *Ganja* has been recovered from the room of the house of the petitioner. The recovered contraband is below the commercial quantity. Hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. There is no compliance of Sections 42 and 50 of the N.D.P.S. Act.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let 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 Only) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge/Special Judge, Patna, in connection with Special Case No. 179 of 2020, arising out of Khajekalan P.S. Case No. 273 of 2020, subject to the conditions



as laid down under Section 438(2) of the Code of Criminal
Procedure.

(Sudhir Singh, J)

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