

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34467 of 2021

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

=====

RAGHUNANDAN PRASAD @ RAGHUNANDAN MAHTO Son of Tori Prasad @ Tori Mahato Resident of Village - Padumchak, Maharajbigha, P.S.- Khizarsarai, Dist.- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Anbzarul Haque Sahara, APP

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-12-2021 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 N.D.P.S. case No.07/2020 arising out of Khizarsarai P.S. case No.30/2020 registered under Sections 8, 20, 22 of the N.D.P.S. Act.

Prosecution case, in short, is that 23 ganja plants are recovered from the co-accused and 4 ganja plants are recovered from the back side of 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 23



ganja plants are said to have been recovered from the co-accused and 4 ganja plants are said to have been recovered from the open field at the back of the joint house of the petitioner. The petitioner had no knowledge regarding the said plants recovered from the open field. 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, Gaya in connection with N.D.P.S. case No.07/2020 arising out of Khizarsarai 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/-

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

