

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32773 of 2020

Arising Out of PS. Case No.-4 Year-2020 Thana- AKBARPUR District- Nawada

SUBODH SINGH Son of Mishri Singh Resident of Village - Lakhmohna,
P.S.- Akbarpur, Distt.- Nawada.

... .. Petitioner/s

Versus

THE UNION OF INDIA THROUGH THE SPECIAL P.P. (N.D.P.S.), GOVT.
OF INDIA Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K. Agrawal
		Mr.Akhilesh Dutta Verma
For the Opposite Party/s :		Mr.K.N. Singh (A.D.S.G.)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 24-02-2021 Heard both parties.

The petitioner seeks bail in Akbarpur P.S. Case No. 04 of 2020, registered for the offence punishable under Sections 8(b)/20(a)(b) of the NDPS Act.

As per prosecution case, 12 Ganja plants weighing 70 Kg were recovered besides the house of this petitioner and out of them 10 Ganja plants were destroyed in presence of SDPO and 02 flowered Ganja plants weighing 20 Kg. were taken as sample.

It is submitted on behalf of the petitioner that 12 small plants of Ganja cannot bear weight of 70 Kg. It is further submitted that the land from where the plants of Ganja was recovered belongs to some different persons. It is further submitted that similarly situated co-accused Sanjay Kumar @



Sanjay Prasad has already been granted bail by a coordinate Bench of this court vide order dated 05.02.2021 passed in Cr. Misc. No. 9589 of 2021. Petitioner is in custody since 20.06.2020 and bears no criminal antecedent.

Considering the period of custody and recovery of Ganja plants, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned District and Sessions Judge-cum-Special Judge, NDPS, Nawada in connection with Akbarpur P.S. Case No. 04 of 2020, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

vinita/-

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