

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39762 of 2020

Arising Out of PS. Case No.-12 Year-2020 Thana- DIDARGANJ District- Patna

ADITYA SINGH S/o Rishi Singh R/o Village- Nathachak, P.S- Didarganj,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suresh Singh

For the Opposite Party/s : Mr. Jainul Abdin, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-09-2021 Heard learned counsel for the petitioner and the State
through virtual mode.

Learned counsel for the petitioner is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks after restoration of normalcy.

The petitioner is apprehending his arrest in Special Case
No. 14 of 2020 arising out of Deedarganj P.S. Case No. 12 of
2020 registered for the offence under Sections 147, 148, 149,
188, 341, 323, 307, 332, 333, 504, 353, 34 of the Indian Penal
Code and Sections-20, 25 & 29 of N.D.P.S. Act.

Allegedly, 1.05 kg. Ganja is recovered.

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 falsely implicated in the present case. 1.05 kg. Ganja is said to have been recovered from Gumti of co-accused Alakh Singh. It is further submitted that the recovery of Ganja is below commercial quantity and hence, Section-37 of NDPS Act will not be attracted in this case. So far petitioner is concerned, his name transpired on the basis of disclosure made by the co-accused. General and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. There is no recovery of any contraband from possession of the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid 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 his personal bond to the satisfaction of learned Sessions Judge/Special Judge, Patna in connection with Special Case No. 14 of 2020 arising out of Deedarganj P.S. Case No. 12 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall



furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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