

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11183 of 2022

Arising Out of PS. Case No.-525 Year-2021 Thana- BIHTA District- Patna

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ABHINANDAN SINGH @ NANDAN Son of Late Manoj Singh, Resident of
Village - Ghusariya, P.S.- Barhara, Dist.- Bhojpura (Ara), at Present Village -
Dhokaria Tola, P.S.- Barhara, Distt.- Bhojpur (Ara)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar Singh, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 29-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Bihta P.S. Case No. 525 of 2021 lodged under Sections 8, 20(b)
(II) (B) and 22 of N.D.P.S. Act read with Sections 411, 413 and
414 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
recovery of only 3 kg. Ganja was made from the motorcycle,
from which three persons were apprehended. He further submits
that commercial quantity of Ganja as per the NDPS Act is 20
kg. and small quantity is one thousand gram. He further submits
that charge sheet has already been filed in this case and
petitioner is in custody since 28.07.2021. He further submits
that for the small quantity, the punishment prescribed under
Section 20A of NDPS Act, the maximum punishment is only

one year. Learned counsel for the petitioner further submits that other co-accused Rahul Singh has been granted bail by the Co-ordinate Bench of this Court vide order dated 16.06.2022 in Cr. Misc. No. 7343 of 2022.

Learned A.P.P. opposes the prayer for bail.

Considering the facts that petitioner is in custody since 28.07.2021 and total recovery of NDPS material i.e. Ganja from the possession of petitioner is only 3 kg., which is much less than the commercial quantity, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-XXIV, Patna in connection with Bihta P.S. Case No. 525 of 2021.

The petitioner is directed to appear on each and every date before the Trial Court and in case, he shall found involve in such type of activities again the prosecution is at liberty to move for cancellation of his bail bond.

Accordingly, the bail application stands allowed.

(Dr. Anshuman, J.)

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