

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13286 of 2022

Arising Out of PS. Case No.-339 Year-2021 Thana- MAIRWAN District- Siwan

Loknath Singh Son of Janakdhari Singh Resident of Village - Siswa, P.s.-
Mairwa, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Anil Kumar, A.P.P

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

4 28-09-2022 Heard learned counsel for the petitioner and learned
A.P.P for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks from today.

The petitioner seeks bail in connection with a case
registered for the offence punishable under Sections 8, 21 and
25 of the N.D.P.S. Act.

Allegation is of recovery of 112 grams of *ganja* and 63
grams of Smack from the shop of the petitioner.

Learned Counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. Nothing has been recovered from the conscious possession
of the petitioner. It is submitted that the petitioner was not



carrying the commercial quantity of psychotropic substance and the seizure list has not been prepared in accordance with law. There is nothing on record to show that the petitioner deals with the business of any psychotropic substances. It is further submitted that search and seizure have not been prepared in accordance with law and the same is violation of Section 50 of the N.D.P.S Act. Further, it is submitted that the petitioner is in custody since 28.10.2021, charge-sheet has been submitted in the case and has clean antecedent.

Learned A.P.P for the State opposes the prayer for regular bail of the petitioner.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) only with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge cum Special Judge, Siwan in connection with N.D.P.S Trial case No. 03 of 2022 arising out of Mairwa Police Station Case No. 339 of 2021.

(Khatim Reza, J)

Sankalp/-

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