

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19937 of 2022

Arising Out of PS. Case No.-131 Year-2021 Thana- KHAGAUL District- Patna

Arvind Kumar Singh @ Loha Singh aged about 55 years Male, son of Late Ram Briksh Singh, resident of Mohalla Rampur Gadikhana P.S. Khagaul District Patna.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Sri, Bind Keshri Singh, Advocate.
For the Petitioner/s	:	Mr. Ravishankar Pathak, Advocate.
For the Opposite Party/s	:	Mr. Jagdhar Prasad, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-07-2022 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Khagaul P.S. Case No. 131 of 2021 lodged under Sections 8, 20, 22 of the N.D.P.S. Act.

The prosecution story is that the police party, after a confidential information, made raid upon which recovery of 1 kg and 750g ganja was recovered from the house of the petitioner.

Learned counsel for the petitioner submits that in the schedule of N.D.P.S., the small quantity is 1000g and the commercial quantity is 20 Kg., whereas from the house of the petitioner only 1.750 kg ganja was recovered. It has also been



submitted from learned Senior counsel for the petitioner that there is a specific provision made under Section 37(1)(b) of the N.D.P.S. Act, that a person accused of offence under Section 19 or Section 24 or Section 27A and also for offences involving commercial quantity shall not be released on bail or on his own bond, in the present case it is not so.

Learned Senior counsel further submits that accused is in custody in this case since 17.07.2021 and charge sheet has already been filed in this case having clean antecedent.

Learned counsel for the State opposes the prayer for bail and submits that petitioner is an accused under N.D.P.S. Act.

In the present facts and circumstances and submissions made above of this case, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned 4th Additional Sessions Judge Cum Special Judge, Patna in connection with Khagaul P.S. Case No. 131 of 2021, subject to the conditions as laid down under Section 437(3) of the Cr.P.C.

Accordingly, the bail application stands allowed.

(Dr. Anshuman, J.)

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