

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26234 of 2022

Arising Out of PS. Case No.-259 Year-2021 Thana- NARHATT District- Nawada

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Ashok Singh @ Ashok Kumar @ Pappu Singh Son Of Late Ram Chandra
Singh R/O Village- Khanwa, P.S.- Narhat, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bipin Kumar

For the Opposite Party/s : Mr.Anil Prasad Singh

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 09-11-2022 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 8(b) and 20(a)
(1) of the N.D.P.S Act.

As per the prosecution case, on information, the
police searched the house of the petitioner and four big ganja
plants and five small ganja plants were recovered from the
courtyard of the house of the petitioner.

Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The ganja plants recovered from the courtyard of the petitioner's house weigh total 5 kgs which are not commercial quantity. Learned Counsel has further submitted that the quantity of the flowering or fruiting tops of the cannabis plant, which is defined as *ganja* under Section 2(iii)(c) of the NDPS Act, has not been given in the seizure list. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 22.03.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Nawada in connection with Narhat P.S. Case No. 259 of 2021.

The application stands allowed.

(Chandra Prakash Singh, J)

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