

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43840 of 2021

Arising Out of PS. Case No.-12 Year-2021 Thana- CHHAURADANO District- East
Champaran

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JITENDRA KUMAR S/O SRI BALDEO MAHTO @ BALDEV PRASASD
R/o village- Budhwaha Ward No. 6, P.S.- Chhauradano. District- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Mukeshwar Dayal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-02-2022 Heard Mr. Abhishek Kumar, learned counsel for the

petitioner and Mr. Mukeshwar Dayal, learned Additional Public

Prosecutor appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with N.D.P.S.

Case No. 05 of 2021 arising out of Chhauradano P.S. Case No. 12 of

2021 registered for the offence punishable under Sections 20(b) (ii)

A, 23(a) and 25 of Narcotic Drugs and Psychotropic Substance Act.

As per the First Information Report, 1 Kg. of *Ganja* has

allegedly been recovered from possession of the petitioner.

Learned counsel for the petitioner submits that the

petitioner has got no criminal antecedent and at the time of seizure of

Ganja, the procedure prescribed under Section 42 of the NDPS Act

was not followed. He further submits that the petitioner is in custody

since 14.01.2021, charge sheet has already been submitted and the



quantity of *Ganja* recovered from possession of the petitioner, is small quantity.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that the petitioner has got no criminal antecedent, he is in custody since 14.01.2021, charge sheet has already been submitted and the *Ganja* recovered from possession of the petitioner is small quantity, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.20,000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of learned 3rd Additional Sessions Judge, Motihari, East Champaran, in connection with N.D.P.S. Case No. 05 of 2021 arising out of Chhauradano P.S. Case No. 12 of 2021.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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