

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.48153 of 2021**

Arising Out of PS. Case No.-43 Year-2021 Thana- GAIGHAT District- Muzaffarpur

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HARISHCHANDRA SINGH @ HARISHCHANDA SINGH Son of Late  
Ambika Singh Resident of Village - Hasanpur, P.S.- Rajepur, Distt.- Motihari.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ravi Ranjan, Adv.

For the Opposite Party/s : Mr. Dinesh Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

2      11-03-2022                      Heard Mr. Ravi Ranjan, learned counsel for the  
  
petitioner and Mr. Dinesh Singh, learned Additional Public  
  
Prosecutor for the State through video conferencing.

Petitioner seeks regular bail in connection with NDPS  
Case No. 13/2021 arising out of Gaighat PS Case No. 43/2021  
registered for the offence punishable under Sections 08, 20, 22  
of the NDPS Act.

700 Grams of Ganja has, allegedly, been recovered  
from the tea-shop of the petitioner.

Learned counsel for the petitioner submits that the  
petitioner has not committed any offence in the manner alleged  
and he has falsely been implicated in this case without following  
procedure for search and seizure prescribed under Section 42,  
50 of the NDPS Act. Learned counsel further submits that the



petitioner has been running a tea-shop since long and a lot of customers use to come and take tea in the shop of the petitioner. He further submits that the petitioner has got no criminal antecedent and the quantity of Ganja recovered is much less than commercial quantity and also less than small quantity. Petitioner is in custody since 07.02.2021.

Regards being had to the submissions made by the parties and taking into consideration the quantity of Ganja which is less than commercial quantity, petitioner, having no criminal antecedent, is in custody since 07.02.2021 and there is no likelihood that the petitioner will repeat the same offence in future, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, HARISHCHANDRA SINGH @ HARISHCHANDA SINGH be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned 5<sup>th</sup> Additional Sessions Judge-cum-Special Judge, NDPS Act, Muzaffarpur in connection with NDPS Case No. 13/2021 arising out of Gaighat PS Case No. 43/2021.

**(Anil Kumar Sinha, J)**

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