

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42046 of 2022

Arising Out of PS. Case No.-168 Year-2022 Thana- JAYNAGAR District- Madhubani

Hasant Singh @ Hashant Kumar Singh @ Hashant Singh, Son of Yugal Kishore, Resident of Village - Shilanath Ward No. 02, P.S.- Jaynagar, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Soban Asghar, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 02-12-2022 Heard learned counsel for the petitioner and learned A.P.P. for the State through virtual court proceeding.

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

In the present case, the petitioner seeks bail in connection with Jaynagar P.S. Case No. 168 of 2022, bearing G.R. No. 15 of 2022 registered for the alleged offences under Sections 20 and 22 of the N.D.P.S Act.

As per prosecution case, police received information about petitioner selling *ganja* in small *purias* from his *gumti*. A raid was conducted and the petitioner was apprehended and from the shop of the petitioner, 100 gm *ganja* with 60 smoking pipes and other materials were recovered.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. Learned counsel further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. Moreover, the recovery shown by the police is much below the small quantity. Charge sheet has been submitted in this case and the petitioner is in custody since 03.06.2022. The petitioner has got clean antecedent.

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

Having regard to the facts and circumstances and submission made on behalf of the parties and considering the quantity of *ganja* recovered from this petitioner along with submission of charge sheet and period of custody of the petitioner, the petitioner above named is directed to 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 Sessions Judge, Madhubani in connection with Jaynagar P.S. Case No. 168 of 2022 bearing G.R. No. 15 of 2022, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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