

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55065 of 2021

Arising Out of PS. Case No.-143 Year-2021 Thana- SONO District- Jamui

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JAI SHANKAR PRASAD UPADHYAY @ JAI SHANKAR UPADHYAY,
Son of Raghu Ballabh Upadhyay Resident of Village - Liludih, P.S.- Chakai,
District - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satya Prakash Parasar
For the Opposite Party/s : Mr. Ram Anurag Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-02-2022 Heard the learned counsel for the petitioner and the
learned APP for the State, through Video Conferencing.

The petitioner seeks bail in connection with N.D.P.S.
Case No. 05 of 2021, arising out of Sono P.S. Case No.143 of 2021,
instituted for the offences under Sections 8, 20(B)(ii)(B) of the
N.D.P.S. Act.

The learned counsel for the petitioner submits that the
petitioner is in custody since 10.06.2021, he is a person with clean
antecedent, charge-sheet has been submitted and allegation is of
recovery of 4 k.g. of *Ganja* from the possession of the petitioner.

The learned counsel for the petitioner submits that
petitioner has been falsely implicated and even presuming what has
been alleged in the FIR is true without admitting them the
allegation is of recovery of *Ganja* which is much less than
commercial quantity and little more than small quantity, it is further



submitted that it is the first offence of the petitioner.

The learned A.P.P. vehemently opposes the bail application.

Considering the fact that the petitioner is in custody since 10.06.2021, he is a person with clean antecedent, charge-sheet has been submitted and allegation is of recovery of *Ganja* which is much less than commercial quantity, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Jamui, in connection with N.D.P.S. Case No. 05 of 2021, arising out of Sono P.S. Case No.143 of 2021, with a condition that one of the bailor shall be the father of the petitioner (Raghu Ballabh Upadhyay) and in the event if the petitioner is implicated in a case of similar nature, the Court below will forthwith cancel his bail bond.

The application stands allowed.

(Satyavrat Verma, J)

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