

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62199 of 2021**

Arising Out of PS. Case No.-189 Year-2021 Thana- BAUNSI District- Banka

RAJESH KUMAR BHAGAT Son of Naresh Kumar Bhagat Resident of
Bounsi Bazar, P.S.- Bounsi, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 04-04-2022 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection
with Bounsi PS case no. 189 of 2021 instituted for the offences
punishable under Sections 20, 22 of N.D.P.A. Act.

The allegation is regarding the police having
received secret information that *ganja* was stored in the shop of
the petitioner, whereafter raid was conducted and 250 gms. of
ganja was recovered from the shop of the petitioner.

The learned counsel for the petitioner has
submitted that the petitioner is innocent, has been falsely
implicated in the present case and is languishing in custody since
28.08.2021. The learned counsel for the petitioner has further
submitted that the quantity of *ganja* recovered from the shop of



the petitioner is much less than the small quantity defined in the Schedule notified under the provisions of N.D.P.S. Act, 1985, hence there is no impediment in grant of bail to the petitioner.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the quantity of *ganja* seized from the shop of the petitioner is much less than the small quantity defined in the Schedule notified under the provisions of N.D.P.S. Act, 1985, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the abovenamed petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned court of Sessions-cum-Special Judge (NDPS Act), Banka in connection with Bounsi PS case no. 189 of 2021.

(Mohit Kumar Shah, J)

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