

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63632 of 2021**

Arising Out of PS. Case No.-383 Year-2021 Thana- BRAHMPUR District- Buxar

=====

DHARMENDRA KUMAR SAH @ DHARMENDRA KR. SAH Son of Late
Dwarika Sah Resident of Village- Mahuar, Police Station- Mainizore,
District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Birendra Kumar Singh

For the Opposite Party/s : Mr.Ram Anurag Singh

=====

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

2 07-04-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application for regular bail arises out of
Brahmpur (Nainizore) P.S. Case No. 383 of 2021, disclosing
offence punishable under Sections 20, 21, 22 of the NDPS Act.

On the allegation of recovery of *Ganja* from behind
the petitioner's house, he has been implicated in this case. The
raid was conducted on the basis of a secret information.
Allegedly, the police party saw a person throwing a bag which
was found to be filled with *Ganja*.

Learned counsel appearing on behalf of the petitioner
has submitted that the weight of the bag, the rope used for tying
the bag and the article in the said bag have been weighed



together which have been found to be 16.1 kg. He submits that the weight does not give the accurate weight of the *Ganja* allegedly recovered. He has further submitted that the recovery of *Ganja* cannot be said to be from the petitioner's possession. The petitioner is in custody since 19.07.2021 and has no criminal antecedent, he submits.

Considering the quantity of *Ganja* alleged to have been recovered and the period of petitioner's incarceration, coupled with the fact that he has no criminal antecedent, this application is allowed.

Let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned District Judge-cum-Special Judge, NDPS Act, Buxar, in Brahampur (Nainizore) P.S. Case No. 383 of 2021.

(Chakradhari Sharan Singh, J)

Rajesh/-

U		T	
---	--	---	--

