

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 8019 of 2023

Arising Out of PS. Case No.-145 Year-2022 Thana- DEHRI TOWN District- Rohtas

Upendra Singh, Male, aged about 43 years, S/O Late Mukhdeo SINGH R/o
mohalla- Behind Apsara Cinema Dihari at Chitragupta Maidan, P.S.- Dihari,
District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sabal Kumar Jha, Advocate
For the State	:	Mr. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 03-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with N.D.P.S.
Case No. 25 of 2022 arising out of Dihari Town P.S. Case No.
145 of 2022 registered for the offence punishable under Sections
20(b) and 22 of the N.D.P.S. Act.

The prosecution case in nutshell is that on the basis of
written report of the informant, the police conducted raid in
which 3 Kg. 660 gram Ganja was recovered from the house of
the petitioner.

Learned counsel for the petitioner submits that
recovery of Ganja was from the hut which has no door and
window and the house is not a pucca house. The petitioner is not
residing therein. He is innocent and nothing incriminating



articles were recovered from the physical or conscious possession of the petitioner. The petitioner was not arrested from the spot and he is languishing in jail custody since 14.08.2022 without any fault on his part and charge sheet in this case against the petitioner has already been submitted. He further submits that due to land dispute, it appears that someone has implicated the petitioner in the present case. Learned counsel submits that the petitioner has no criminal antecedent.

Learned APP conceded that the recovery of 3 Kg. 660 gram of Ganja comes under the intermediate quantity i.e., below the commercial quantity.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 8th Additional Sessions Judge, Rohtas at Sasaram in connection with N.D.P.S. Case No. 25 of 2022 arising out of Dihari Town P.S. Case No. 145 of 2022.

(Sunil Dutta Mishra, J)

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