

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9258 of 2023

Arising Out of PS. Case No.-99 Year-2021 Thana- MAIN P.S. District- Gaya

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MITHLESH SHARMA S/O LATE RAJESHWAR SHARMA Resident of
Village- Koiri Bigha, P.S.- Mian, District- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar
For the Opposite Party/s : Mr.Umanath Mishra

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 27-04-2023 Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered
for the offence punishable under Section 20(a)(i) of the NDPS
Act.

As per the prosecution case, Ganja plants were found
planted over the land of this petitioner and 80 Ganja plants
weighing 43 Kg. were recovered.

Learned counsel appearing for the petitioner submits
that petitioner is innocent and has falsely been implicated in the
case. It is submitted that the land in question where Ganja plants
were found does not belong to this petitioner. No Khata or
Khesra No of land over which Ganja plants were cultivated has
been given and only on suspicion petitioner has been made
accused in the case. Petitioner is a Constable and he does not



live in his village since long. Petitioner has got clean antecedent.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the facts of the case, nature of accusation and clean antecedent of the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sessions Judge-cum-Special Judge, NDPS Act, Gaya in connection with Main PS case No. 99/ 2021, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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