

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11720 of 2022**

Arising Out of PS. Case No.-335 Year-2021 Thana- KUDRA District- Kaimur (Bhabua)

DINESH SINGH SON OF RAM NAGINA SINGH @ NAGINA SINGH
RESIDENT OF VILLAGE- KANDIHRA, P.S.- KAIMUR, DISTRICT-
KAIMUR AT BHABUA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Singh, Advocate

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

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

6 04-01-2023 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection
with Kudra PS case no. 335 of 2021 instituted for the offences
punishable under Sections 8c/20(b)(ii)(B/29) of N.D.P.S. Act.

The allegation is regarding recovery of 16.129 kg
of ganja along with a sum of Rs. 1,50,270/- and an electric
weighing machine from the house of the petitioner.

The learned counsel for the petitioner submits that
the petitioner is innocent, has been falsely implicated in the
present case, he is having a clean antecedent and is languishing in
custody since 28.11.2021. The learned counsel for the petitioner
has further submitted that the house in question does not solely
belong to the petitioner but the same is in joint possession of the



petitioner and his joint family members, hence, the petitioner cannot be saddled solely with the liability of the ganja seized from the house in question.

Per contra, the learned APP 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 quantity of ganja seized from the house of the petitioner is less than the commercial quantity defined in the Schedule notified under the provisions of the N.D.P.S. Act, 1985, apart from the fact that the petitioner has clean antecedent and is languishing in custody since more than one year, I deem it fit and appropriate to enlarge the petitioner on bail.

Accordingly, the abovenamed petitioner is directed to be released on regular 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 Judge-cum-Special Judge, Kaimur at Bhabua in connection with Kudra PS case no. 335 of 2022.

(Mohit Kumar Shah, J)

rinkee/-

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

