

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64817 of 2022

Arising Out of PS. Case No.-591 Year-2022 Thana- BIHTA District- Patna

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Tuntun Kumar @ Sanjeet Kumar S/O Late Chandra Bhushan Singh Resident
of village- Murika, P.S.- Sigori, District- Patna, at present resident of Village-
Dilawarpur, P.S.- Bihta, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-02-2023 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period of
four weeks from today.

The petitioner seeks bail in connection with Bihta P.S.
Case No. 591 of 2022 registered for the offence under Sections 20,
22 and 24 of the N.D.P.S. Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 19.06.2022.

The allegation against the petitioner is to have in
possession of 140 grams of ganja/contraband.

Learned counsel appearing on behalf of the petitioner
submitted that petitioner was falsely implicated in this case, where
compliance of Section 50 of the N.D.P.S. Act not appears to be made



on its face. It is submitted that alleged recovery is less than smaller quantity, for which, punishment is up to one year. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded that the alleged recovery of 'ganja' is less than smaller quantity.

Considering the facts and circumstances as mentioned above and by taking note of the fact as alleged recovery of 'ganja' is less than smaller quantity coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Bihta P.S. Case No. 591 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-XXIV-cum-Special Judge (N.D.P.S. Act), Patna/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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