

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3248 of 2023

Arising Out of PS. Case No.-242 Year-2013 Thana- AKBARPUR District- Nawada

SHAHI SINGH @ UPENDRA SINGH Son of Late Indradeo Singh R/v-
Malikpur, P.O.- Nemdarganj, P.S.- Akbarpur, Dist- Nawada, Bihar-805121
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deo Prakash Singh, Adv.
For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 27-04-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in connection with Akbarpur P.S. Case No. 242 of 2013 dated 29.12.2013 registered for the offences punishable u/s 20(b) (ii) (c) of the NDPS Act, 1985.

As per the prosecution case, total ten *dali* of *Ganja* plant was recovered from the land of the petitioner and the petitioner was found indulged in cultivating *Ganja* at large scale.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this



case. Learned counsel has further submitted that only ten *dali* of *ganja* plant was recovered from the possession of the petitioner but in the said plant there is no flowering of fruiting tops. Similarly situated co-accused has already been granted bail by the co-ordinate bench *vide* order dated 28.03.2023 passed in Cr. Misc. No. 1822 of 2023. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 23.09.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Nawada in connection with Akbarpur P.S. Case No. 242 of 2013.

The application stands allowed.

(Chandra Prakash Singh, J)

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