

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64066 of 2024

Arising Out of PS. Case No.-105 Year-2021 Thana- BARABAR TOURIST District-
Jehanabad

=====

Madhu Singh, Son of Indradeo Singh, Resident of village -Nawada, PS-
Barabar, Paryatak, at present C/O- Brijnandan Singh, R/o Village- Dharaut,
P.S.- Barabar Paryatak (Bisungaj O.P.), Dsitt.- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Nityanand Neeraj, Adv.
For the Opposite Party/s : Mr. Anil Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 05-10-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Barabar Paryatan (vishunganj-O.P.) P.S. Case No. 105 of
2021 registered for the offences punishable under Sections 8(b)
and 20(a)(i) of the N.D.P.S. Act.

3. Allegedly, the planted cannabis plants were
recovered from the courtyard of the house of the accused
persons named in the FIR, including the petitioner.

4. Learned counsel for the petitioner contended that as
per the seizure list, it would be evident that eight cannabis plants
are said to have been recovered from the courtyard of the
petitioner but, surprisingly, the seizure list witnesses are none



else but the police personnel. Had the seizure been conducted in the house of the petitioner, the copy of which would have certainly served upon the petitioner or his family members but there is no report of service of the seizure list. It is further contended that other co-accused persons from whose houses/courtyards, similar kind of cannabis plants were recovered, have been allowed the privilege of anticipatory bail, the copies of which have been brought on record by way of Annexures-2 and 3 to the bail application. The petitioner bears fair antecedent and he undertakes that he will fully cooperate in the proceeding of the Court.

5. On the other hand, learned counsel for the State opposed the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the infirmities in the search and seizure, coupled with the fact that other co-accused persons having identical allegation have been allowed the privilege of anticipatory bail, apart from the fair antecedent of the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount



each to the satisfaction of learned District and Sessions Judge, Jehanabad in connection with Barabar Paryatan (vishunganj-O.P.) P.S. Case No. 105 of 2021, subject to the condition as laid down under Section 438(2) of the Cr.P.C, with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

rohit/-

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

