

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71630 of 2024

Arising Out of PS. Case No.-148 Year-2024 Thana- KOCHAS District- Rohtas

Amrendra Kumar @ Amarendra Yadav S/o Late Raja Ram Singh R/o Village-
Nimdiara, PS- Kargahar, Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Babu Nandan Prasad, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 27-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Kochas P.S. Case No. 148 of 2024 instituted for the
offences under Sections 8(c), 20(b)(ii)(b), 29 of the N.D.P.S.
Act.

3. Prosecution case, in short, is that 14 Kg. *Ganja* has
been recovered in this case.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner has no criminal antecedent. Learned counsel further
submitted that the recovery of ganja has been made from the
house of the co-accused Rinkesh Kumar. No incriminating



article has been recovered from the conscious possession of the petitioner. There is no allegation of tampering of witnesses alleged against the petitioner. No incriminating material has been recovered from the conscious possession of the petitioner. The recovered contraband is below commercial quantity, and hence, Section 37 of the N.D.P.S. Act is not applicable in the present case. There is no compliance of Section 42 and 50 of the N.D.P.S. Act.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, in the event of arrest/surrender before the lower court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kochas P.S. Case No. 148 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

Alok Verma/-

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