

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32429 of 2025

Arising Out of PS. Case No.-536 Year-2024 Thana- MADANPUR District- Aurangabad

Luxman Singh Bhokta @ Lakshaman Singh Bhogta S/O Late Raudi Singh
Bhokta Resident of village- Badam, PO- Umga, PS- Madanpur, District-
Aurangabad

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uma Kant Mishra, Adv.
For the State : Ms. Nirmala Kumari, APP.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 20-05-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable u/s 8/20(b)(ii)(A) of the NDPS Act, 1985.

3. The allegation in the FIR is that the petitioner was
cultivating the *ganja* plants and on search, 178 green plants of
ganja along with its flowers weighing 45 kgs were recovered
from the land which belongs to this petitioner.

4. Learned counsel for the petitioner submits that as a
matter of fact, the land from which the said recovery has been
made is a government land and the description of the said field
has also not been given clearly which creates doubt about the
prosecution case. It is further submitted that total weight which



has been assessed by the authorities is inclusive of the plants along with their stems, flowers, etc. and as a matter of fact, if the actual weight of *ganja* would be taken into consideration, the same would be below the commercial quantity. It is further submitted that petitioner is in custody since 19.12.2024 and the charges have already been framed in the present case on 27.02.2025. It is next submitted that petitioner has no criminal antecedent and he undertakes to cooperate in the trial.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the above-mentioned facts and circumstances and also the period of custody, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Madanpur P.S. Case No. 536 of 2024, subject to the following conditions:

(1) One of the bailors will be family members or own close relatives of the petitioner who will give an affidavit of genealogy as to how he is related to the petitioner.

(2) The petitioner shall remain physically present in the court on each and every date during trial and in the event of failure on two consecutive dates without substantial and satisfactory



reason, his bail bonds shall be liable to be cancelled by the learned
court concerned.

(Soni Shrivastava, J)

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