

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39268 of 2016

Arising Out of PS.Case No. -72 Year- 2016 Thana -BARIYARPUR District- MUNGER

1. Pintu Kumar Yadav
2. Jai Kishan Kumar Yadav
Both Son of Late Kishori Yadav, resident of village- Pariya, Police
Station- Bariarpur, District- Munger

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar, Advocate

For the Opposite Party/s : Mr. Dr. Ajeet Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-09-2016 Heard learned counsel for the petitioners and
the State.

Petitioners are languishing in custody since
06.07.2016 in a case registered for the offences punishable
under Sections 20, 22 of the Narcotics Drugs and
Psychotropic Substances Act.

The prosecution case is that on secret
information that petitioners used to deal in illegal business
of ganja, the house of the petitioners was raided, from
where two bags were seized each containing 25 Kg. of ganja.

It is submitted by the learned counsel for the
petitioners that recovery has been made from the joint
family house and still the F.S.L. report has not been
received. The petitioners have never been accused in any
case under N.D.P.S. Act. However, petitioner no. 1 is

accused in one other case being Kotwali P.S. Case No. 420 of 2009, registered under Sections 379, 511/34 of the Indian Penal Code, but he is on bail.

Dr. Ajit Kumar, learned counsel for the State submits that recovery has been made from the house of the petitioners.

Considering the recovery of commercial quantity of ganja and in view of the embargo under Section 37 of the Narcotics Drugs and Psychotropic Substances Act, this Court is not inclined to grant bail to the petitioners.

Accordingly, the bail application is dismissed.

Let, the trial be expedited.

The Director, F.S.L. is expected to transmit the F.S.L. report to the learned trial court.

(Dinesh Kumar Singh, J)

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