

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57840 of 2015

Arising Out of PS.Case No. -1 Year- 2014 Thana -TARABARI District- ARRARIA

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Ram Chandra Singh son of Khushi Lal Singh resident of Kajurbari, P.S. -
Kursa Kanta, Distt. - Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Advocate
Mr. Dhananjaya Nath Tiwari, Advocate

For the Opposite Party/s : Mr. M. RAB (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

4 02-03-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Tarabari
P.S. Case No. 01 of 2014 registered for the offences punishable
under Sections 22, 23 and 24 of the N.D.P.S. Act.

Allegedly, acting on an information, the informant and
other police personnel went at the destination and saw two
motorcycles coming but all the three persons who were riding on
motorcycles fled away, however from motorcycles, 12 packets
containing 40 kg. *Ganja* were recovered from the bag. During
investigation it transpired that the Bajaj Discover motorcycle,
which was carrying plastic bag containing 40 Kg. of *Ganja*,

bearing Registration No. BR 38 E 3924 is of the petitioner and the petitioner has also admitted that he is the owner of the said motorcycle.

Submission is of false implication and that nothing has been recovered from conscious possession of the petitioner, mandatory provision of N.D.P.S. Act has not been followed, the said motorcycle of the petitioner was taken away by his relative prior to the said occurrence and the petitioner has been made victim of the circumstance only due to the reason that he is the owner of said Bajaj Discover motorcycle.

The learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering that from the motorcycle of the petitioner, 40 Kg. of Ganja was recovered and, as such, this Court is not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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