

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32750 of 2016

Arising Out of PS.Case No. -147 Year- 2012 Thana -RAXAUL District-
EASTCHAMPARAN(MOTIHARI)

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Jaysar Mahto S/o Late Mansi Mahto R/o village - Shyampur Barwa, P.S.
Sangrampur, District - East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramakant Yadav

For the Opposite Party/s : Mr. Sri Tarkeshwar Nath Thakur

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 16-08-2016

Heard learned counsels for the petitioner and
the State.

The petitioner is languishing in custody since
30.06.2012 in a case registered for the offences punishable under
Sections 20, 22, 23 and 24 of the NDPS Act.

From the possession of the petitioner 26
packets total weighing 12 Kgs. Charas were recovered near the
Canal Chowk at Raxaul.

It is submitted by learned counsel for the
petitioner that the recovery has not been made from the conscious
possession of the petitioner. A statement has been made in
paragraph 3 of the petition that the petitioner has no criminal

antecedent.

Considering the commercial quantity of recovery of the contraband and the embargo under Section 37 of the NDPS Act, this Court is not inclined to grant bail to the petitioner in connection with Raxaul P.S. Case No. 147 of 2012 pending in the court of learned III Additional Sessions Judge, East Champaran at Motihari.

Accordingly, the prayer for bail of the petitioner is rejected.

Let the trial be expedited.

(Dinesh Kumar Singh, J)

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