

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47426 of 2016

Arising Out of PS.Case No. -158 Year- 2016 Thana -MALSALAMI District- PATNA

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Sumesh Kumar son of Kapil Shao resident of Village- Mohanpur, P.S.-
Raghopur, District- Vaishali, at present residing at Didarganj Halt, P.S.-
Malsalami, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nagendra Kumar Singh
For the Opposite Party/s : Mr. Sri Satyavarat Verma

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 20-12-2016 Heard Sri Nagendra Kumar Singh, learned counsel for
the petitioner and learned Additional Public Prosecutor .

The petitioner, who is in custody has prayed for grant of
bail in Malsalami P.S. Case No. 158 of 2016 registered for the
offence under Sections 20, 22, 25 , 25(A) of the Narcotic Drugs
Psychotropic Substances Act.

It was submitted by learned counsel for the petitioner
that petitioner has falsely been implicated in the present case . It
has been argued by learned counsel for the petitioner that on the
one hand it was shown that petitioner along with Bolero vehicle
was intercepted and from Bolero about 208 Kilograms of Ganja
was recovered but at the same time Police had conducted a raid in
the house of the petitioner and from petitioner's house about Rs.



1,00,000/- currency note was shown to be recovered. It has been argued that it is true that the seized vehicle was of the petitioner but fact remains that petitioner was apprehended from house not from the road from where the vehicle was seized whereas, learned Additional Public Prosecutor opposing the prayer submits that a Bolero nearby a truck was found. The petitioner was apprehended and besides recovery of Ganja to the tune of 208 Kilograms from the Bolero in the truck also huge quantity of Ganja was found. In this case recovery of Ganja is to the tune of 640 kilograms.

Considering huge quantity of recovered Ganja as well as the fact that the petitioner has not disputed the fact that petitioner is the owner of the seized Bolero, there is no reason to extend bail.

The petition stands dismissed.

(Rakesh Kumar, J)

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