

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27025 of 2016

Arising Out of PS.Case No. -34 Year- 2016 Thana -VAISHALI District- VAISHALI(HAJIPUR)

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Suresh Rai S/o Brij Nandan Rai R/v- Magurahi, P.S.- Ganga Bridge, Distt-
Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha

For the Opposite Party/s : Mr. Sri Sanjay Kumari Tiwary 1

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 30-06-2016

Heard learned counsel for the parties.

The petitioner is languishing in custody since 3.2.2016 in
a case registered for the offence punishable under sections 17, 22,
23 of the N.D.P.S.Act.

Prosecution case is that during vehicle check the
informant being the In-charge, Belsar O.P. intercepted one Pulsar
motorcycle, wherein two persons were travelling. The police party
gave signal to stop the said vehicle and on being asked the said
two persons disclosed their name as Sanjeev Kumar @ Mantu and
Suresh Rai. In the meantime, another motorcycle also reached
there on which other two persons were travelling who disclosed
their name as Daya Kumar Choudhary and Sanjeet Kumar. From
each motorcycle twenty two Kg. total weighting forty four Kg.
ganja were recovered along with several ATM cards, mobile

phones and two motorcycles.

It is submitted by the learned counsel for the petitioner that even assuming the prosecution case the recovered Ganja comes to about 11 Kg. each, hence does not come within the purview of commercial quantity. Statement has been made in paragraph 3 of the application that the petitioner has no criminal antecedent.

Considering the commercial quantity of recovery from each motorcycle, this Court is not inclined to grant bail to the petitioner.

This application is, accordingly, dismissed.

Let the trial be expedited.

(Dinesh Kumar Singh, J)

Surendra/-

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