

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44542 of 2016

Arising Out of PS.Case No. -120 Year- 2016 Thana -KOTWALI District- MUNGER

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Vikash Modi, son of Late Vidyanand Modi, resident of Mohalla-Shyampur,
P.S. Kotwali, District- Munger

.... Petitioner

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha

For the Opposite Party/s : Mr. Sri Chandra Bhushan Prasad

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 15-12-2016 Heard Sri Binod Kumar Sinha, learned counsel for

the petitioner and Sri Chandra Bhushan Prasad, learned Addl.

Public Prosecutor.

The sole petitioner, who is in custody in Kotwali
P.S. Case No.120/2016 registered for the offence under Sections
20,22 of the N.D.P.S. Act, has prayed for grant of bail.

It was submitted by learned counsel for the
petitioner that from the house of petitioner, 6 Kg of Ganja, foreign
liquor and cash of Rs.78,000/-were shown to be recovered. It was
submitted that the house in question was in joint possession and
the petitioner was not aware about the seized articles. He further
submits that at the time of search, the petitioner was not there and
he is in custody since 14.06.2016.

Learned Addl. Public Prosecutor has opposed the



prayer for bail of the petitioner.

Besides hearing learned counsel for the parties, I have also perused the material available on record, particularly the F.I.R.. After going through the same, it is evident that from the house of the petitioner, about 6 Kg of Ganja and bottles of Indian Make Foreign Liquor were recovered. Besides this, from perusal of paragraph-3 of the present petition, it is evident that the petitioner was made accused in earlier case also for the offence under N.D.P.S. Act. Accordingly, under the provision of N.D.P.S. Act, it is difficult to extend the privilege of bail. The petition stands dismissed.

(Rakesh Kumar, J)

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