

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43908 of 2016

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Hargen Rai, son of Late Yodha Rai, residents of Village- Bhatlahiya, P.S.-
Jitna (Ghorasahan), District- East Champaran.

.... Petitioner

Versus

1. The State of Bihar.
2. Union of India through Inspector General, S.S.B., Frontier Head Quarter,
Patna.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Md. Arif

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 13-12-2016 Heard Sri Abhishek Kumar, learned counsel for the

petitioner and Smt. Shail Kumari, learned Central Government

Counsel.

The sole petitioner, who is in custody in N.D.P.S.

Case No.43 of 2016 registered for the offence under Sections

20(b), 25 of the Narcotic Drugs and Psychotropic Substances Act,

as prayed for grant of bail.

It was submitted by learned counsel for the

petitioner that while the petitioner was sleeping in his hut, a raid

was conducted and from outside the hut, beneath the vessel

recovery of 5 kg of Ganja was shown and the petitioner was

apprehended. It has been argued that nothing was recovered from

the conscious possession of the petitioner. Learned counsel for the



by way of referring to the statement made in paragraph-3 of the petition submits that the petitioner is having clean antecedent. He submits that recovered ganja was smaller quantity than the commercial quantity.

Learned Addl. Public Prosecutor has opposed the prayer for bail of the petitioner.

However, considering the fact that the recovered ganja was much lesser than the commercial quantity as well as the petitioner is having clean antecedent, let the petitioner, namely, Hargen Rai be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge/Special Judge, Motihari, East Champaran in connection with N.D.P.S. Case No.43 of 2016.

(Rakesh Kumar, J)

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