

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2064 of 2017

Arising Out of PS.Case No. -48 Year- 2016 Thana -MAJORGANJ District- SITAMARHI

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1. Saurabh Kumar, Son of Manoj Giri, R/o Village- Masahi, P.S.-
Mejarganj, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Sri Amitesh Kumar

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER**

2 23-01-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with Mejarganj
P.S.Case No. 48 of 2016 registered under Sections 8, 20 (B) (II)
(B) of the N.D.P.S.Act.

Accusation is that the police on receiving secret
information about keeping the Ganja in huge quantity by Manoj
Giri in his house, the police raided there. On seeing the police
Manoj Giri was succeeded to flee away but the petitioner, who is
son of accused Manoj Giri, was apprehended there and on search
11Kg and 500 grams recovered from there and prepared seizure
list.



Learned counsel for the petitioner submits that it would appear that Ganja was not recovered from the conscious possession of the petitioner rather the same is recovered from the house, jointly occupied by the petitioner and others. The petitioner was accused in Mejarganj P. S. Case No. 393 of 214 under Sections 366 A of the Indian Penal Code but he is acquitted and in present case he is in custody since 11.03.2016.

Having regard to the facts and the circumstances of the case, I am not inclined to release the petitioner on bail. Accordingly, his prayer for bail is rejected.

(Rajendra Kumar Mishra, J)

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