

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35937 of 2017

Arising Out of PS.Case No. -329 Year- 2016 Thana -NARPATGANJ District- ARRARIA

=====

Vinod Sah @ Vinod Kumar Sah, son of Ram Kishun Sah, R/o Village-
Pithaura, P.S.- Narpatganj, District- Araria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Smt. Reena Sinha

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 09-08-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with
Narpatganj P.S.Case No. 329 of 2016 registered for the offences
under Sections 8(C)/20(b)/(ii)(B) of N.D.P.S. Act

Allegation as per FIR is of recovery of 89.5 kg. of
ganja from co-accused, who happens to be brother of the
petitioner.

Submission of learned counsel for the petitioner is that
he has falsely been implicated only because he happens to be
brother and FIR shows that ganja has been recovered from the
room of brother of the petitioner and from Scorpio vehicle and not
from the petitioner and he is in custody since 24.10.2016.

Heard learned APP also.



Having heard both sides and considering the aforesaid facts and circumstances, this application is disposed of with a direction to the Special Judge to verify the fact as to whether recovery has been from conscious possession of the petitioner or from the room of the petitioner and if it is not so, petitioner shall be released on bail to his satisfaction, otherwise he will pass any other order as he may deem fit and proper.

(Vinod Kumar Sinha, J)

spal/-

U			
---	--	--	--

