

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 30481 of 2017

Arising Out of PS. Case No.-242 Year-2016 Thana- Kudra District- Bhabhua (Kaimur)

Ashutosh Pandey @ Bibhu Pandey @ Bigu Pandey @ Ashutosh Kumar Pandey son of Ajay Kumar Pandey resident of Village - Purab Mohalla, Kudra, Police Station Kudra, District - Kaimur (Bhabua).

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Mritunjay Prasad Singh, Adv.

For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

4. 04-10-2017 Heard Sri Mritunjay Prasad Singh, learned counsel for the petitioner and Sri Madan Kumar, learned Addl. Public Prosecutor.

This is the second attempt for grant of bail. Earlier, the prayer for bail of petitioner was rejected on 22-12-2016, vide Cr. Misc. No. 49770 of 2016, mainly on the ground of lesser period of custody. In the case, there is allegation of recovery of 7 Kg. & 750 gm. of *Ganja* from possession of the petitioner and he is in custody since 09-09-2016 in Kudra P.S. Case No. 242 of 2016 registered for offence under Sections 20(b)(ii)(B)/27(A) of the Narcotic Drugs & Psychotropic Substances Act, 1985.

Earlier, in order dated 22-12-2016 passed in Cr. Misc. No. 49770 of 2016, this Court had observed "However,



considering the weight of recovered *Ganja* as well as lesser period of custody, presently, I am not inclined to grant bail."

Considering the weight of recovered Ganja, which is obviously lesser than the commercial quantity, as well as observation given in earlier bail petition, there is no reason to further detain the petitioner.

Let the petitioner namely Ashutosh Pandey @ Bibhu Pandey @ Bigu Pandey @ Ashutosh Kumar Pandey 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 learned Sessions Judge-cum-Special Judge, Kaimur at Bhabhua in connection with Kudra P.S. Case No. 242 of 2016.

(Rakesh Kumar, J.)

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