

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29721 of 2017

Arising Out of PS.Case No. -347 Year- 2016 Thana -BARACHATTI District- GAYA

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1. Sanjay Sah, son of Moti Lal Sah, Resident of Village- Shyampur Potraha,
P.S.- Nautanpur, District- Bettiah.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Soni Shrivastava, Adv

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

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 07-07-2017

Heard learned counsel for the petitioner and the

State.

The Petitioner seeks bail in **Barachatty P.S.**

Case No. 347 of 2016 registered for the offence punishable under
Sections 8/20(KH)/ii(Ga)/25/29 of N.D.P.S. Act.

The allegation against the petitioner is regarding
recovery of 66 kgs of Ganja from a secret chamber made in the
back side of the Bolero car on which three persons were found
sitting. The informant who is Inspector of Police in the FIR has
stated that he received secret information that a Bolero vehicle is
coming having loaded Ganja on it. On search and seizure of the
vehicle 66 kgs of Ganja was recovered from a secret chamber
made in the back of middle seat. From the registration number of



the vehicle and ownership book, it was found that the vehicle belonged to one Santosh Prasad Singh. Learned counsel for the petitioner has submitted that the petitioner, who is of clean antecedent, is innocent and has not committed any offence. The petitioner has been falsely implicated in this case on mere suspicion. In fact, no recovery has been made from the conscious possession of the petitioner. It has further been submitted by the learned counsel for the petitioner that similarly placed accused namely Parash Prasad has been granted regular bail on 18.05.2017 in Criminal Miscellaneous No. 3350 of 2017 by this Hon'ble Court. However, the submission of the learned counsel for the petitioner that seized Ganja does not come under the purview of commercial quantity, is not correct. It has further been submitted by the learned counsel for the petitioner that the charges have been framed in this case. The petitioner is in custody since, 04.09.2016.

Considering the aforesaid facts and circumstances of the case and the fact that the petitioner has got no criminal antecedent and similarly placed accused has already been granted bail in this case, let the petitioner named above be released on bail upon furnishing bail bonds of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned



A.D.J. VIIth, Gaya in connection with **Barachatty P.S. Case No. 347 of 2016.**

(S. Kumar, J)

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