

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.41804 of 2017**

Arising Out of PS.Case No. -12 Year- 2017 Thana -SAMSTIPUR RAIL P.S District-  
SAMASTIPUR

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1. Amzad Hussain Son of Jainul Miya @ Jamal @ Jaynai Miya, R/o Village+P.O.- Devanhaar, P.S.- Kotwali, District- Kooch Bihar (West Bengal).

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Vijay Anand

For the Opposite Party/s : Mr. Sri Mustaque Alam

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      11-09-2017              The petitioner seeks regular bail in connection with NDPS. Case No. 5 of 2017 arising out of GRP (SPJ) P.S. Case No. 12 of 2017, registered for offences punishable under Sections 20/22 of NDPS Act.

Allegation against the petitioner is of recovery of 1.7 Kg of Ganja.

It has been submitted on behalf of the petitioner that nothing has been recovered from the possession of the petitioner. Further he was only the passenger in train and has been made accused in this case on suspicion. He has no criminal antecedent and has been in judicial custody since 23.03.2017.

Learned counsel for the State opposed the prayer for bail.



Having heard both sides, considering the fact and circumstances of the case and the quantity of recovery of ganja, I am not inclined to release the petitioner on bail, at least at this stage, rather the court below is directed to release the petitioner on bail to his own satisfaction once charge is framed or petitioner completes nine months in judicial custody, whichever, is earlier.

With above observation, this application is disposed of.

**(Vinod Kumar Sinha, J)**

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