IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49866 of 2017

Arising Out of PS.Case No. -27 Year- 2017 Thana -MUZAFFARPUR (R.T) District- MUZAFFARPUR

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1. Deeplal Sah Son of Late Ram Awtar Sah Resident of Village - Machhaha, P.S. Motihari, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Nachiketa Jha
For the Opposite Party/s : Mr. Smt. Sahin Begam

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 17-10-2017 Heard the learned counsel for the petitioner.

The petitioner seeks regular bail in connection with Muzaffarpur Rail PS case no. 27 of 2017 registered for the offences punishable under Sections 20,22 of N.D.P.S. Act.

The allegation against the petitioner is that upon inspection by the police and upon a search being made, four bundles of *ganja* weighing 22 kg and 500 gms were recovered apart from other articles.

The learned counsel for the petitioner submits that during inspection, Section 50 of N.D.P.S. Act has not been followed. Moreover, the petitioner has a clean antecedent.

I find that a huge quantity of contraband has been seized from the possession of the petitioner and the same appears

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to be more than the commercial quantity permissible under the Act. Nonetheless, I may hasten to add that under Section 37 of the Narcotic Drugs and Psychotropic Substances Act 1985, it has been prescribed that an accused can be released on bail only upon the court being satisfied that there are reasonable grounds for believing that the accused is not guilty of such offence. Such finding of innocence of the accused at this stage cannot be rendered by this Court.

For the reasons stated hereinabove, the instant petition is dismissed.

(Mohit Kumar Shah, J.)

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