

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34399 of 2017

Arising Out of PS.Case No. -299 Year- 2017 Thana -ARA NAGAR District- BHOJPUR

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1. Amit Kumar Singh @ Amit Kumar Son of Barmeshwar Singh, resident
of Village- Masardh, P.S. Udawant Nagar, District Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. Smt. Reena Sinha

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 13-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
02.06.2017 in connection with Ara Town P.S. Case No. 299 of
2017 for offences punishable under Sections 20(b)II(A) of
N.D.P.S. Act in N.D.P.S. Case No. 19 of 2017.

The prosecution case, as lodged by the police personnel
is that on a secret tip off that one co-accused Bablu Keshari is
selling Ganja in his betel shop, his shop was raided and 2 kg.
Ganja was recovered from his shop, thereafter, he disclosed the
name of co-accused Shivam Kumar Singh and the petitioner, who
were found coming in motorcycle, which was intercepted and
apprehended them and from the plastic bag of the petitioner, 2 kg.
of Ganja was recovered while from possession of co-accused



Shivam Kumar Singh, 5 kg. Ganja was recovered. They also disclosed the name of entire gang dealing and selling in Ganja.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and has been falsely implicated in the aforesaid case. He submits that investigation is going on and considering the quantity which is less than the minimum quantity, a sympathetic consideration may be given.

However, learned APP for the State opposes the prayer for bail stating therein that contraband item has been seized from the possession of the petitioner.

Considering the facts and circumstances and the materials on record, I am not inclined to grant the privilege of bail to the petitioner at this stage in connection with NDPS Case No. 19/17 arising out of Ara Town P.S. Case No. 299 of 2017 pending before the learned Sessions Judge, Bhojpur, Ara.

However, the petitioner may renew his prayer for bail after six months.

(Nilu Agrawal, J)

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