

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19335 of 2017

Arising Out of PS.Case No. -166 Year- 2016 Thana -SULTANGANG District- PATNA

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Sohan Yadav Son of Late Pitamber Yadav, resident of Mohalla - Tekari
Road, P.S. Sultanganj, District – Patna Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar

For the Opposite Party/s : Mr. Sri Chandra Bhushan Prasad

For the Union of India : Mr. Manoj Kumar Singh, CGC

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 19-05-2017 Heard learned counsel for the petitioner and learned
APP representing the State.

The petitioner seeks bail in connection with Sultanganj
P.S. Case No. 166 of 2016 registered for the offences punishable
under Sections 20, 22 of Narcotic Drugs & Psychotropic
Substances Act.

Allegedly, acting on a tip off that the petitioner is
indulged in dealing with Ganja and has kept Ganja in Cow dung
cake, raid was conducted but the petitioner succeeded in fleeing
away and in presence of the witnesses from the Cow dung cakes
of the petitioner total 17 kg and 150 grams Ganja was recovered.

Submission is of false implication and that nothing has
been recovered from conscious possession of the petitioner or
from his house, admittedly, the premises from where the alleged



recovery was made is disputed land and several persons opened Kathal there, no offence as alleged is made out against the petitioner, the mandatory provision of Section 50 of the N.D.P.S. Act has not been followed, there is no signature of the petitioner on the seizure list.

Learned APP seriously opposes the prayer of bail.

In the facts and circumstances stated above, considering the alleged recovery, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

(Jitendra Mohan Sharma, J)

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