

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38238 of 2018

Arising Out of PS.Case No. -280 Year- 2017 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

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Pankaj Kumar Khurana, S/o Late Deepak Khurana @ Late Deepak Kumar,
Resident of Mohalla- R.G. B. Raghubir Nagar Near Tagore Garden, Police
Station- Khyala, District- Delhi.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Sri Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 23-07-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Bidupur P.S. Case No.280 of 2017 registered for the offences
punishable under Section 8/20B (ii)(c) of the N.D.P.S. Act.

As per the F.I.R., the police party in course of
patrolling got a secret information and reached near the house of
one Shailendra Kumar Singh. The police party found a Hyundai
Xcent Car where two persons were found standing. Seeing the
police party the said persons started fleeing away. The police
apprehended them after some chase. This petitioner is one of
them. On search of the car, 64 kg ganja in several packets was
recovered from the said car.



It has been submitted that the petitioner is neither the owner of the car nor was apprehended at the spot nor any incriminating material has been recovered from his conscious possession. The petitioner is in custody since 13.09.2017 having clean antecedent and so he deserves bail.

The learned A.P.P. for the State opposed the submission.

On perusal of F.I.R. and case-diary, it appears that a huge quantity of ganja i.e. 64 kg was recovered from the dickey of the car near Mathurapur village within the jurisdiction of Bidupur Police station. The petitioner and other co-accused were standing near the said car and on seeing the police party, this petitioner and other co-accused started fleeing away. The police party apprehended them after some chase and the seizure list was prepared in presence of local villagers.

Considering the facts and circumstances of the case as well as recovery of huge quantity of ganja, I am not inclined to enlarge the petitioner on bail. Prayer of bail is accordingly rejected.

(Sanjay Kumar, J)

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