

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18026 of 2018

Arising Out of PS.Case No. -282 Year- 2017 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

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Yetwari Paswan S/o Late Rameshwar Paswan, R/o Baharampur, P.S.-
Rampur, District- Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nityanand

For the Opposite Party/s : Dr. Indihar Kumari

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 28-06-2018

Heard.

The petitioner seeks regular bail in connection with
Biddupur P.S. Case No. 282 of 2017 for the offences punishable
under Sections 8/20(B)(11)(c) NDPS Act.

The allegation is regarding recovery of 20 kg. of
Ganja from the petitioner herein.

The learned counsel for the petitioner submits that
the petitioner is innocent and has been falsely implicated in the
present case.

I have perused the materials on record and I find that
the recovered quantity of Ganja i.e. 20 kg, comes under the
commercial category, as provided for the NDPS Act, 1985. In fact,
according to section 37 of the said Act, 1985 this Court should



come to a finding that the accused person i.e. the petitioner is not guilty of such offence and he is not likely to commit any offence while on bail and only then the petitioner can be released on bail. In the present case, at this stage, this Court is not in a position to come to a finding of innocence as far as the petitioner is concerned and the said finding can only be arrived at, after a full-fledged trial.

Having regard to the facts and circumstances of the case, I do not find any merit in the present case and accordingly, the same is dismissed.

(Mohit Kumar Shah, J)

BTiwary/-Md Rashid

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