

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61148 of 2018

Arising Out of PS.Case No. -91 Year- 2018 Thana -SONPUR (R.T) District- MUZAFFARPUR

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Shambhu Prasad @ Shambhu Prasad Singh Son of late Yadunandan Singh
Resident of Village- Gopalpur Chacknai, P.S. Bidupur, District-Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ansul, Advocate.

For the Opposite Party/s : Smt. Pronati Singh

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 31-10-2018 Heard the parties.

Petitioner seeks bail in NDPS Case No.14 of 2018 arising out of Sonapur Rail P.S. Case No. 91/18 registered for the offence under Sections 08, 20, 22 of the NDPS Act.

Accusation is that on receipt of secret information on 26.07.2018 that three persons were carrying contravened ganja in coach No.6 of Purvaiya Express on the Sonapur platform and as soon as the train stopped at Sonapur Platform No.3 the informant along with police party reached there and got the said three persons along with their respective bags down from the coach and on search total 38 kgs. contravened ganja wrapped in black polythene kept in six bags was recovered out of which only 14 kgs ganja was recovered from the bag of the petitioner.



Submission on behalf of the learned counsel for the petitioner is that the petitioner was arrested from platform on the identification of the co-accused and no seizure list was prepared in his presence. Nothing has been recovered from his conscious possession. He was going to Delhi alone and he has nothing to do with the other co-accused. He is in custody since 27.07.2018 having no criminal antecedent.

Heard the learned A.P.P. also who opposed the prayer for bail of the petitioner.

Having heard both sides and considering the quantity of the seized ganja, I am not inclined to grant bail to the petitioner at this stage. The prayer for bail of the petitioner is rejected.

However, after completion of one year in jail custody of the petitioner, he may renew his prayer for bail.

(S. Kumar, J)

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