

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6448 of 2018

Arising Out of PS.Case No. -256 Year- 2017 Thana -BIRPUR District- SUPAUL

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Ranjeet Kumar Yadav @ Ranjeet Yadav, S/o Sitaram Yadav, Resident of
Village- Hariraha, P.S.- Karjain, District- Supaul.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Pd. Singh, Sr. Adv.
Mr. Rakesh Singh, Adv,

For the Opposite Party/s : Mr. Ajay Kumar -2

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 29-06-2018

Heard.

The petitioner seeks regular bail in connection with
Special Case No. 15 of 2017 arising out of Birpur P.S. Case No.
256 of 2017 for the offences punishable under Section 414 of the
Indian Penal Code and Sections 20/22 of the N.D.P.S. Act.

The allegation of the prosecution is regarding
recovery of 46 Kg of Ganja from a Bolero vehicle which was
being driven by the petitioner herein.

The learned Senior counsel for the petitioner submits
that the petitioner is innocent and similarly situated co-accused
person, namely Suresh Kumar Singh has already been granted bail
by this Court vide order dated 17.2.2018 passed in Cr. Misc.
No.5238 of 2018. It is submitted that another co-accused person



namely Vinod Kumar Yadav has been granted bail by an order dated 8.3.2018 passed in Cr. Misc. No. 13691 of 2018.

The aforesaid two orders dated 17.2.2018 and 8.3.2018 would show that the said accused persons were granted bail on the ground that the main accused is the petitioner herein and he was driving the vehicle from where the substance like ganja was recovered.

The report of the FSL has also been produced before this Court and from that it transpires that the said substance recovered by the investigating agency is Ganja.

It is a trite law that if bail is to be granted to a person who has been implicated under the provisions of the NDPS Act, 1985 then the Court will have to come to a finding that the accused is not guilty of such offence and he is not likely to commit any offence while he is on bail, which this Court can obviously not determine at the moment, hence no relief can be granted to the petitioner.

Accordingly, the petition of the petitioner for grant of bail is rejected.

(Mohit Kumar Shah, J)

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