

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14919 of 2019

Arising Out of PS. Case No.-68 Year-2018 Thana- DANIYAWAN District- Patna

Upendra Rai Son of Jamun Rai R/o Village- Brahmrotra, P.S- Gaighat,
District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar
For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 02-08-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Special case No.51 of 2018 arising out of Daniyawan P.S. case No.68 of 2018 registered under Sections 20/22 of the N.D.P.S. Act, pending in the court of Additional Sessions Judge X, Patna.

The allegation is that 102.100 kgs of ganja is recovered.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 25.05.2018 and has got no criminal antecedent. Charge sheet has been submitted in this case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The contraband is said to have been



recovered from the house of Rajni Devi. There is no recovery from the conscious possession of the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. He was apprehended on the spot. The total quantity of contraband is 102.100 kgs. Contraband is recovered from the constructive possession of the accused persons. Same is above commercial quantity. The petitioner is not entitled for grant of bail under Section 37 of the N.D.P.S. Act.

Considering the aforesaid facts and circumstances, I am not inclined to grant bail to the petitioner. The same is rejected.

(Sudhir Singh, J)

Narendra/-

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