

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9797 of 2020

Arising Out of PS. Case No.-102 Year-2018 Thana- MIRGANJ District- Purnia

CHANDAN SHARMA Son of Ramdeo Sharma Resident of Village - Kajra
Nawtoliya, P.S.- Mirganj, Distt.- Purnea.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vikram Singh

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 28-02-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Special
Case No.13 of 2018 (N.D.P.S. Act), arising out of Mirganj P.S.
Case No.102 of 2018, registered under Section 20/22 of the
NDPS Act, pending in the court of the Special Judge (N.D.P.S.
Act), Purnea.

The accusation is that on receiving the secret
information about keeping of Ganja by Chandan Sharma
(petitioner) in his house, situated in village-Kajra Nawtoliya, the
informant along with other police personnel reached there and
saw some persons fleeing away from the back side of his house.
However, one person was apprehended, who disclosed his name



as Ravi Kumar alias Raveen Kumar. On query, he disclosed that the Ganja has been kept in the straw house of the petitioner and, on search of the straw house of the petitioner, 71.90 kilograms Ganja was recovered. The caught hold person also disclosed that his uncle Chandan Sharma (petitioner), Sujeet alias Surja and Chulha alias Chunchun used to bring the Ganja.

Learned counsel appearing on behalf of the petitioner submits that it would appear from the F.I.R. that the seized Ganja was not recovered from the conscious possession of the petitioner rather the same was recovered from his straw house. The petitioner is in custody since 30.08.2019.

Having regard to the facts and the circumstances of the case and considering the quantity of Ganja recovered from the straw house of the petitioner, I am not inclined to grant bail to the petitioner. Accordingly, the prayer of the petitioner for grant of bail stands rejected.

(Rajendra Kumar Mishra, J)

P.S./-

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