

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17155 of 2020

Arising Out of PS. Case No.-15 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- East Champaran

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1. INDRA KANT DEV @ RANJEET Son of Mahendra Dev Resident of Village - Donar Chowk, P.S.- Laheriasarai, District- Darbhanga
 2. Rajeev Mandal @ Rajiv Kumar Mandal Son of Mahendra Mandal Resident of Village - Dilawarpur, P.S.- Bahadurpur, District- Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Union of India through Intelligence Officer, Narcotics Control Bureau, Patna Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sunil Kumar No.II
For the Opposite Party/s	:	Mr.Uday Chand Prasad
For Union of India	:	Mr. Awadhesh Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 18-09-2020 The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of COVID-19 Pandemic.

Heard the learned counsel for the petitioners, Sri Uday Chand Prasad, the learned APP for the State and Sri Awadhesh Kumar, the learned counsel for the Union of India.

The petitioners seek regular bail in connection with N.D.P.S. case no. 53 of 2019 instituted for the offences punishable under Sections 20, 25, 29 of N.D.P.S. Act.

The case of the prosecution in brief is that the police had apprehended the petitioners herein and others along with the Maruti Suzuki Car and upon Search, 45 kg of Ganja was



seized.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and they have got no complicity in the matter. It is further submitted that the petitioners are having clean antecedent.

Per contra, the learned APP for the State vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the parties and taking into account the materials available on record, it is apparent that the petitioners have been arrested from the Car, from which, huge quantity of *ganja* i.e. 45 kgs has been seized, which as per the Schedule to the NDPS Act, 1985 is much more than the specified commercial quantity, hence considering the stringent provisions contained in Section 37(1)(b)(2) of N.D.P.S. Act, 1985, this Court does not find the present case to be a fit case for grant of bail to the petitioners herein, hence the present petition stands dismissed.

(Mohit Kumar Shah, J)

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