

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19464 of 2020

Arising Out of PS. Case No.-130 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Bhagalpur

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Niraj Yadav Son of Sri Dharo Yadav Resident of Village - Choudharidih, P.S.-
Lodipur, District- Bhagalpur, At present residing at Village - Suratganj, P.S.-
Babarganj, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey

For the Opposite Party/s : Mr.Narendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 09-06-2020 Heard learned counsel for the petitioner and learned

APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Excise P.R. Case No. 130 of 2019, NDPS Case No. 26 of 2019 registered for the offence under sections 20(b) of the N.D.P.S. Act.

As per allegation in the written report, 1.350 Kg of Ganja is stated to have been recovered from the house of the petitioner.

It is submitted by learned counsel for the petitioner that the allegation of recovery is false and concocted. No incriminating article has been recovered from his house or his possession. The quantity even if accepted for sake of argument



is just over the small quantity of 1000 gm.. The petitioner has no criminal antecedent and has remained in custody since 23.10.2019.

The application for bail is opposed by the learned APP for the State.

Having heard learned counsel for the parties and taking into consideration that the quantity of Ganja recovered from the house of the petitioner is 1.350 Kg, the court is not inclined to grant bail to the petitioner and, as such, the application for bail is rejected.

However, taking into consideration that the quantity is just over the small quantity, the petitioner if so advised, may renew his prayer for bail after completing one year in custody.

(Partha Sarthy, J)

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