

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25603 of 2020

Arising Out of PS. Case No.-22 Year-2020 Thana- MOHANIYA District- Kaimur (Bhabua)

=====

SANJIV KUMAR, Son of Mahesh Singh, Resident of Village- Kathatar, P.S.-
Rajpur, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Bachan Jee Ojha, Adv.

For the Opposite Party/s : Mr.Humayou Ahmad Khan, APP

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 30-09-2020 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

Since the physical court proceeding is non-functional,
due to present pandemic, COVID-19, the matter is listed with
defects.

Learned counsel for the petitioner undertakes to
remove the defects as pointed out by the office within three
weeks of normal functioning of the court, failing which the
office is directed to place the matter before the Bench.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 8/20(b)(2)/13/27A of the
N.D.P.S. Act.

Allegation is recovery of 3.8 Kg. of Ganja from the
bag of the petitioner.

Learned counsel for the petitioner submits that the
petitioner is quite innocent and he has been falsely implicated in



this case with false allegation. Only on the basis of suspicion petitioner was arrested and he is in custody since 28.01.2020. The petitioner has got no criminal antecedent which is mentioned in para 3 of the bail petition.

Learned APP for the State opposes the prayer for bail petition and submits that the bail application of the similarly situated co-accused has been rejected by the Co-ordinate Bench of this Court vide order dated 09.06.2020 passed in Cr. Misc. No.18957 of 2020.

In view of recovery of 3.8 Kg. of Ganja from the conscious possession of the petitioner which is more than small quantity but much less than the commercial quantity, I am not inclined to enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner is rejected in connection with Mohania P.S. Case No. 22/2020 from the Court of learned Sessions Judge, Kaimur at Bhabhua.

The application is dismissed accordingly.

However, petitioner may renew his prayer for bail after one year of custody.

(Anjani Kumar Sharan, J)

amitkumar/-

U		T	
---	--	---	--

