

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84606 of 2019

Arising Out of PS. Case No.-136 Year-2019 Thana- CHARPOKHARI District- Bhojpur

SANJAY SAH Son of Nayak Sah Resident of Village - Nagari, P.S.-
Charpokhari and Distt - Bhojpur (Bihar)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ashutosh Kumar Vinayak
For the Opposite Party/s : Mr. Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 16-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for bail has been filed by the petitioner, who is in custody in connection with Charpokhari P.S. Case No.136 of 2019, registered for the offence punishable under sections 8, 20(b)(II)(c) and 27 of the N.D.P.S. Act.

As per allegation in the F.I.R., on a raid being conducted, it is stated that 34.3 kg of ‘Ganja’ was recovered from the house of the petitioner.

It is submitted by learned counsel for the petitioner that no recovery as alleged has taken place. Even for the sake of argument if the allegations are taken to be true, partition had taken place in the family much prior to the occurrence, which would be evident from Annexure-3 to the petition. It is not stated



by the police as from whose possession the alleged recovery has taken place. It is submitted that the petitioner has no criminal antecedent and he is in custody since 30.06.2019.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above as also in view of the recovery of 34.3 kg of Ganja from the house of the petitioner, the Court is not inclined to enlarge the petitioner on bail and as such the application for regular bail is rejected.

However, in the facts and circumstances of the case, if so advised, the petitioner may renew his prayer for bail after six months.

(Partha Sarthy, J.)

amit/-

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

