

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13870 of 2021**

Arising Out of PS. Case No.-95 Year-2020 Thana- NARAINPUR District- Bhojpur

JITAN SINGH Son of Late Paras Nath Singh Resident of Village-
Narayanpur, P.S.- Narayanpur, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suraj Deo Singh

For the Opposite Party/s : Mr. Yogendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

4 23-08-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 8/20 (b) (11)C of the
N.D.P.S. Act

As per the prosecution case, 10 Kg. Ganja was recovered from
the house of the petitioner which was kept beneath the bed.

Learned counsel appearing for the petitioner submits
that petitioner is innocent and has falsely been implicated in the
case. No incriminating article has been recovered from the
conscious possession of the petitioner and alleged recovery is
below the commercial quantity and, thus, rigours of Section 37
of the NDPS Act is not attracted. Petitioner claims clean
antecedent and is in custody since 09.10.2020. Investigation in
the case is complete.



Learned counsel appearing for the State opposes the prayer for bail and submits that huge quantity of Ganja has been recovered from the house of petitioner beneath the bed.

Considering the aforesaid facts and recovery of huge quantity of Ganja, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

However, once charge is framed and trial commences, the petitioner, shall be released on bail by the trial court to its own satisfaction on the condition that the petitioner will co-operate in the trial.

(Prabhat Kumar Singh, J)

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