

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20196 of 2021

Arising Out of PS. Case No.-209 Year-2020 Thana- CHAUSA District- Madhepura

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GAUTAM KUMAR SINGH Son of Sri Pancho Singh @ Panchu Singh
Resident of Village- Khopriya, P.S.- Chausa, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Singh, Advocate

For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-07-2021 Heard learned counsel for the petitioner and the

State.

The petitioner prays for grant of regular bail in Chausa Police Station Case No. 209 of 2020 registered for the offence punishable under section 20 and other allied sections of the Narcotic Drugs and Psychotropic Substances Act, 1985.

As per the prosecution case, 6 kilograms of Ganja, 300 grams weight measurement unit and cash of Rs.3000/- was recovered from the possession of the petitioner.

Learned counsel appearing for the petitioner submits that no incriminating material has been recovered from the conscious possession of the petitioner. Mandatory provision regarding search and seizure has not been followed. Alleged recovery of Ganja is less than commercial quantity and hence



rigours of section 37 of the Narcotic Drugs and Psychotropic Substances Act would not be attracted against the petitioner. Petitioner claims clean antecedent. He is in custody since 6.10.2020.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the rival submissions of the parties, materials available on the record and the huge quantity of recovery of narcotic substance, I am not inclined to grant bail to the petitioner. Petition for bail of the petitioner is rejected.

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

(Prabhat Kumar Singh, J)

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