

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33815 of 2021

Arising Out of PS. Case No.-47 Year-2020 Thana- GALGALIYA District- Kishanganj

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KRANTI DEV NATH @ KANTI DEV NATH S/o- Late Yogendra Dev Nath
Resident of Village- Lal Bazar, Ward No. 2, P.S.- Shital Kushi, District-
Coochbehar (W.B.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amal Kumar Sinha

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

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 22-12-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Special Case No. 14 of 2020, arising out of Galgalia Police
Station Case No. 47 of 2020, registered for the offences
punishable under Sections 8/20(b) (ii) (B) of the Narcotic Drugs
and Psychotropic Substances Act, 1985.

The prosecution case, as per the First Information
Report, is that a total quantity of 12.674 kgs. of ganja has been
recovered from the possession of the petitioner while he was
travelling in a bus.

Learned Counsel for the petitioner submits that the
petitioner has not committed any offence in the manner alleged
and only 20 gms. of ganja has been recovered from the pocket



of the petitioner and the balance quantity of ganja recovered by the police was kept beneath the seat of the petitioner. He further submits that the quantity of ganja recovered by the police is not of commercial quantity. He further submits that the petitioner has got no criminal antecedent and he is in custody since 17.10.2020 and charge sheet has been submitted against the petitioner and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that ganja recovered from the possession of the petitioner is more than small quantity and less than commercial quantity, I am not inclined to grant regular bail to the petitioner.

This application is, accordingly, dismissed.

However, the petitioner will be at liberty to renew his prayer for bail after six months from today, if the trial does not show any progress.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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