

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34882 of 2021**

Arising Out of PS. Case No.-10 Year-2021 Thana- MANPUR District- West Champaran

BHUAR ANSARI @ BHUAR MIAN S/o Mir Hasan Mian R/o- Udarwa
Panchamwa, P.S.- Shikarpur, District- West Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prashant Kumar
For the Opposite Party/s : Mr.A.G.

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

2 09-09-2021 Heard learned counsel for the petitioner and the

State.

The petitioner prays for grant of regular bail in
Manpur Police Station Case No. 10 of 2021 registered for the
offence punishable under section 20 and other sections of the
Narcotic Drugs and Psychotropic Substances Act, 1985.

As per the prosecution case, 19 kilograms of Ganja has
been 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. Mandatory
provision regarding search and seizure has not been followed.
Rigours of section 37 of the NDPS Act would not be attracted



against the petitioner who is in custody since 14.2.2021 having clean antecedent.

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

Considering the rival submissions of the parties, materials available on the record and the 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 commences, 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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