

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47102 of 2021

Arising Out of PS. Case No.-28 Year-2020 Thana- BAUNSI District- Banka

SUJIT KUMAR Son of Devan Yadav @ Devo Yadav Resident of Village-
Adariya, P.S.- Maraiya (Parbatta), District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jyoti Ranjan Jha

For the Opposite Party/s : Mr. Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-08-2021 Heard Mr. Jyoti Ranjan Jha, learned counsel for the

petitioner and Mr. Md. Shakir Ahmad, learned Additional Public

Prosecutor for the State through video conferencing.

The petitioner has renewed his prayer for bail in connection with Special Case No. 02 of 2020 (arising out of Baunsi P.S. Case No. 28 of 2020) registered for the offence under Section 20 (b) (II) (C) / 22 / 23 of the Narcotics Drugs and Psychotropic Substances Act inasmuch as earlier bail application of the petitioner was rejected by this Court vide order dated 03/02/2021 passed in Cr. Misc. No. 35253 of 2020.

The allegation as per the First Information Report is that Police intercepted a Sumo vehicle bearing Registration No. BR-10PA-7815, which was being driven by the petitioner and recovered a total quantity of 120.06 K.G. of “Ganja” from the



system box of the said vehicle.

Learned counsel for the petitioner reiterated the submission which was made earlier at the time of rejection of the first bail application and submits that petitioner is driver and nothing has been recovered from his conscious possession. Learned counsel further submits that “Ganja” is not a psychotropic substance and the same is a narcotic drug as such Section 23 of the N.D.P.S. Act is not attracted in the matter.

Regard being had to the submissions made by the parties, taking into consideration the materials available on record, the fact that earlier bail application of the petitioner was rejected on merit and huge quantity of “Ganja” has been recovered from the possession of the petitioner, I am not inclined to grant regular bail to the petitioner on the second occasion.

Accordingly, the same is rejected.

(Anil Kumar Sinha, J)

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